

REGULAR MEETING - JANUARY 7, 1980

The regular meeting of the Common Council of the City of Marshall was held on January 7, 1980. The meeting was called to order by Mayor Schlagel at 7:30 P.M. In addition to the Mayor the following members were present: Purrington, Ritter, Berre, Rogalski and Hirmer. Absent: Hoffman.

Rogalski moved, Berre seconded, the approval of the minutes of the regular meeting of the Common Council held on December 17, 1979 as corrected and the approval of the minutes of the special meeting held on December 20, 1979 as filed with each member and that the reading of the minutes be waived. All voted in favor of the motion.

Hirmer moved, Rogalski seconded, the adoption of ORDINANCE NO. 65, SECOND SERIES and that the reading of the same be waived. Ordinance No. 65, Second Series is an Ordinance to rezone property from R-A to I-2 as requested by Asphalt Supply Company. All voted in favor of the motion.

At the regular meeting held on December 17, 1979 a quotation was awarded to Ritter's Sanitary Service for garbage removal for a 2 year period of time beginning January 1, 1980 and ending December 31, 1981. A quotation was also received from Rich's Sanitation. Since the award of this quotation a few discrepancies have been recognized. An elected City Official cannot contract with the City to provide a service if the amount of the contract is for more than \$5,000; the quotation received from Rich's Sanitation was not received on time, and after receiving his quotation it was for a larger amount than had originally been reported. It was the general feeling of the Council, since there were discrepancies in both quotations it would only be fair to both to readvertise for bids for a one year period. Councilmen Ritter who did not vote on the matter at the Regular City Council meeting on December 17, 1979 indicated to the council that he would be willing to go along with whatever the full Council decided to do. Mr. Robert Runchey, Attorney for Rich's Sanitation, indicated to the Council he thought it would appear better to the general public if an elected official did not enter into a contract for services with the City.

Be it noted the arrival of Councilmen Brian Hoffman.

Hirmer moved, Schlagel seconded, to rescind the award of the contract for garbage pickup for a 2 year period and to authorize proper personnel to readvertise for bids for the service for a period of one year. All voted aye except Ritter who abstained.

After considerable discussion as to whether the proper personnel should be authorized to advertise for bids or quotes, Rogalski moved, Hirmer seconded, the proper personnel be authorized to readvertise for "bids" for a one year period as per previous specifications and that all or part of these bids could be accepted. These bids will be opened on January 21, 1980 at the regular City Council meeting at 7:30 P.M. All voted in favor of the motion, except Ritter who abstained.

Purrington moved, Berre seconded, a dance permit be granted to Jerry Gladis for a dance at the National Guard Armory on January 12, 1980. All voted aye.

An application had been received by the City Administrators Office for a franchise to promote boxing and sparring exhibitions in Minnesota by the Russell-Marshall Boxing Club. Since the receipt of this application the Russell-Marshall Boxing Club has separated and formed 2 separate clubs, The Russell Boxing Club and The Marshall Boxing Club. Hirmer moved, Purrington seconded, this matter be delayed until we get an official application from both organizations, The Russell Boxing Club and The Marshall Boxing Club. All voted aye.

An application was received at this time from the Marshall Boxing Club.

A letter was received from the United States Army Recruiting Station located in the theatre building on 3rd and Lyon Street in regard to leasing on street parking stalls. The City Council did not want to set a policy of allowing businesses to have on-street lease parking. These businesses may lease stalls in the parking lots which has been the policy in the past.

Hirmer moved, Purrington seconded, the proper City officials be allowed to enter into a mutual aid fire agreement between the City of Balaton and the City of Marshall. All voted aye.

Purrington moved, Hirmer seconded, the proper City officials be allowed to enter into an agreement for services with Gold, Carlson and Minehart for the annual audit for 1979 at the budgeted amount of \$10,000. All voted aye.

REGULAR MEETING - JANUARY 7, 1980 (CONT'D.)

Hirmer moved, Ritter seconded, a consumption and display license for the Marshall Square Sandwich Company be approved upon payment of the required fee. All voted aye.

Schlagel moved, Ritter seconded, the proper City personnel be allowed to submit an application to the State of Minnesota for a comprehensive Bicycle Safety Program grant in the amount of \$5,000. The City's share of the grant will be provided totally by an in-kind match and no direct cash expenditures. This program would include education, law enforcement, judicial system and community participation and would include school involvement with class room training in bicycle safety. The funds obtained are to pay for two bike patrol members, two bicycles, hand radios, films and other materials. All voted in favor of the motion.

Mr. Chet Wiener, Director of Public Safety, discussed an Ordinance with the Council which would restrict the sale and possession of drug related paraphernalia in the City of Marshall. Purrington moved, Rogalski seconded, this Ordinance be referred to the Ordinance and Legislative Committee for review. All voted aye.

The City Administrator was in receipt of a Cease and Desist Order from the Bureau of Mediation Services dated December 17, 1979 informing him that full time and part time employees in the Marshall Streets and Park Maintenance Departments had expressed interest in joining the American Federation of State, County, and Municipal Employees. The City Administrator had meet with the employees to determine the reasons for their actions. The prime reasons were that their salary was not adequate for what they needed to live on and that they felt they wanted more voice in what they do and how they do it and in financial matters relating to them. Hirmer moved, Hoffman seconded, Mr. Howard Hoy, a personnel consultant, be contacted to see if he would be able to work with the City in handling the situation. All voted aye.

At this time the City Administrator, Jim Heller, discussed with the Council possibilities of developing some type of electronic data processing or computerization for the City.

Hirmer moved, Ritter seconded, and it was unanimously approved the following bills be authorized for payment: GENERAL FUND, Voucher No. 67227 through 67354; REVENUE SHARING FUND, Voucher No. 153 through 155; SPECIAL ASSESSMENTS FUND, Voucher No. 28 through 29; PARKING SYSTEM FUND, Voucher No. 2244 through 2253; WASTEWATER FACILITIES FUND, Voucher No. 1531 through 1566; LIQUOR FUND, Voucher No. 25740 through 25784.

Purrington moved, Hirmer seconded, Wade Stimson be hired as a janitor-custodian at a rate of \$743/month effective January 14, 1980. All voted aye.

The following building permits, mobile home permits previously approved by the City Engineer were confirmed:

Layle French, Marshall 609 Lincoln Ave. remodel dwelling at Stewart & Jenkins addition, Block 3, part of 11 \$6,300	Frank Thompson, Marshall fireplace at Westwood Acres Block 1, Lot 23, \$2,000
Duke Durfee Company, Marshall 800 Erie Road free standing sign at Industrial Park #2, Block 3 Lot 1	Bill Hisken, Marshall dwelling at Soucy Addition Lot 26 \$34,000
Rod Belsheim, Marshall 1211 East College Drive attached sign at Section 3, Quarter NW¼, \$100	Bill Hisken, Marshall, dwelling Westmar Lots, Block 3, Lot 4 \$35,500
Lynn Burkhart, Marshall attached sign at Original Plat Block 9, Lot part of 19, 20 & 21 \$1,250	Bill Hisken, Marshall, dwelling Westmar Lots, Block 1, Lot 9 \$35,000
Dan Blowers, Marshall freestanding fireplace at Viking Addition, Block 1, Lot 17 \$500	Gregory Anderson, Marshall, remodeling Original Plat, Block 8, Lot 10 & 11 \$5,000
	Slagel & Wambeke, Marshall US Post Office in Academic Building at SSU \$7,800

REGULAR MEETING - JANUARY 7, 1980 (CONT'D.)

Lowell Rademacher, Marshall
free standing fireplace
Sunrise addition, Block 2, Lot 1
\$850

Lorraine Hefel, Marshall
Camelot Square
install mobile home and
accessory building

Jake Janzen, Marshall
insulating & partitioning basement
Janzen 2nd Add., Lot 8
\$1,000

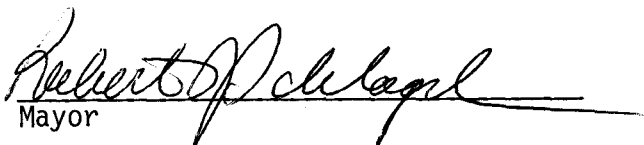
Richard Whipple, Marshall
Village Park
install mobile home

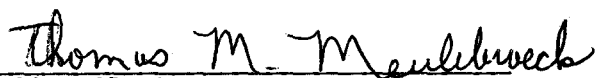
Schwan's Sales, Marshall
maintenance building
Nielsen's Addition, Block:
Jansens Subdivision of
Outlot 6, Lot: Part of 2 & 3
\$15,000

Councilmen Purrington, discussed briefly with the Council the events that were scheduled for Capitol for a Day which was set for January 17, 1980.

Councilmen Hoffman, discussed with the Council the advertisement for Director of Public Safety. He indicated this position would be a Non-Civil Service position and the applicant must be a qualified and licensed peace officer.

Upon motion by Schlagel, seconded by Hirmer, the meeting was adjourned. All voted aye.


Mayor

ATTEST: 
City Clerk

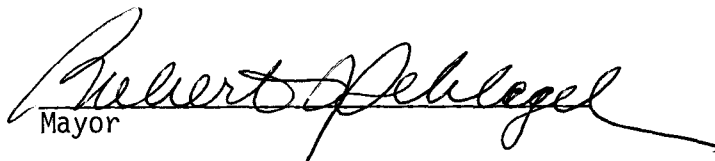
SPECIAL MEETING - JANUARY 9, 1980

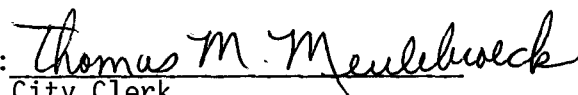
The special meeting of the Common Council of the City of Marshall was held on January 9, 1980. The meeting was called to order by Mayor Schlagel at 5 o'clock P.M. In addition to the Mayor the following members were present: Berre, Purrington, Rogalski, and Hirmer. Absent: Hoffman and Ritter.

The purpose of this meeting was to approve the on-sale beer license and consumption and display license for the Marshall Management Services, Inc., DBA Marshall Inn.

Hirmer moved, Berre seconded, the on-sale beer license and consumption and display license for the Marshall Management Services, Inc., DBA Marshall Inn be approved. All voted aye.

Upon motion by Hirmer, seconded by Purrington, the meeting was adjourned. All voted aye.


Mayor

ATTEST: 
City Clerk

REGULAR MEETING - JANUARY 21, 1980

The regular meeting of the Common Council of the City of Marshall was held on January 21, 1980. The meeting was called to order by Mayor Schlagel at 7:30 P.M. In addition to the Mayor the following members were present: Purrington, Ritter, Berre and Hirmer. Absent: Hoffman and Rogalski.

Berre moved, Ritter seconded, the approval of the minutes of the regular meeting of the Common Council held on January 7, 1980 and the approval of the minutes of the special meeting held on January 9, 1980 as filed with each member and that the reading of the minutes be waived. All voted in favor of the motion.

Bids were received, opened, and read at this time for garbage and trash pickup for the City of Marshall for the period beginning February 1, 1980 and ending January 31, 1981. The Council had the option of accepting all or part of the bids that were received. Bids were received from Ritter's Sanitary Service, Inc., of Marshall, Minnesota and Rich's Sanitation Service, of Marshall, Minnesota as follows:

PROPOSAL A:		RITTER'S YEARLY FEE	RICH'S YEARLY FEE
1. Wastewater Treatment Plant	once every two weeks, one (1) one-yard container	144.00	216.20
2. Main Sanitary Sewer Lift Station	Six days per week, Mon. thru Sat. one (1) one-yard container	1,296.00	400.00
3. Fire Station	Once a week, several (3-6) 30 gallon containers	51.00	324.00
4. Municipal Airport	Once a week, two (2) one-yard containers	250.00	504.00
5. Street Department Shop	Once per week, one (1) one-yard container	234.00	378.40
6. Main Street between College Drive & 5th Street and 3rd Street between Main Street and Lyon Street	Ten (10) sidewalk containers, once (1) per week	390.00	200.00
7. Municipal Liquor Store	Once per week, one (1) one-yard container and a large number of empty corrugated cardboard boxes (possibly twice a week)	396.00	574.80
8. Legion Field Park	Three (3) times per week from April 1 to Oct. 31 of each year, one (1) 3-yard container	424.00	770.00
9. Leaves	All leaves that are removed from streets, alleys, parking lots; removed as needed from the Street Dept., parking area or other pre arranged locations		
	(a) 20 estimated truck loads (price per load)	no charge	30.00
	(b) price per load x 20 (price per year)	no charge	600.00
10. Municipal Building	Six days per week, Mon. thru Sat., several (3-6) 30 gallon containers	240.00	480.00

REGULAR MEETING - JANUARY 21, 1980 (CONT'D.)

Additional per unit bid	Per unit bids are requested for the following items in the event that additional units or services are required during the term of the contract at any of the above locations (based upon once a week pickup)	RITTER'S	RICH'S
		YEARLY FEE	YEARLY FEE
	Each 30 gallon container	no more than charged for	.75
	Each 1 yard container	each similar unit at that	.95
	Each 3 yard yard container	location	4.10

PROPOSAL B:

Schedule of price for total garbage collection for locations 1 through 10 if bidder is awarded all items 1 through 10	3,425.00	4,492.40
---	----------	----------

Schlagel moved, Berre seconded, the proper City Officials be allowed to enter into a contract for garbage and trash removal for the City of Marshall for the period February 1, 1980 through January 31, 1981 with Rich's Sanitation for the Main Sanitary Sewer Lift Station and Main Street between College Drive and 5th Street and 3rd Street between Main Street and Lyon Street for a total of \$600.00. The proper City Officials were also allowed to enter into a contract with Ritter's Sanitary Service for the same service at the Wastewater Treatment Plant, Fire Station, Municipal Airport, Street Department Shops, Municipal Liquor Store, Legion Field Park, Leaves and the Municipal Building for a total bid of \$1,739.00. Mr. Bill Ritter, a partner of Ritter's Sanitary Service, must comply with Minnesota State Statutes 471.87 to 471.89 throughout the period of this contract. Mr. Ritter has to submit an affidavit with his request for payment stating that the price for the elected City Officials contract is as low or lower than the price of that service from another source. All voted aye, except Ritter who abstained.

Hirmer moved, Berre seconded, a conditional use permit for George Falconer of 507 Pleasant Avenue for a home occupation of a janitorial cleaning business be allowed with the following stipulations on the conditional use permit: (1) That no commercial vehicles be allowed to park on or near his residential property; (2) That his employees vehicles not be allowed to park on or near his residential property; (3) That he not engage in any commercial activity on his residential property other than those activities that can be transacted within buildings of said property (i.e. house and garage; e.g. bookkeeping and the storage of materials used for his business enterprises). This conditional use permit is for a one year period of time with the understanding the permit will be reviewed at the end of one year and be considered for a five year extension. All voted aye.

Hirmer moved, Berre seconded, a home occupational conditional use permit be granted to Robert and Phyllis Schlagel of 502 North High Street to allow a real estate business office. Mayor Schlagel informed the council this business has no employees outside of the home. Phyllis Schlagel informed the council that with the rising costs and the real estate business being curtailed they have decided to move the office into their home just to keep their real estate license. A list of names was also presented to the Council of neighboring residents who were not opposed to the real estate office in their home. All voted in favor of the motion, except Mayor Schlagel who abstained.

Mr. Robert Emanuelson of Emanuelson-Podas, Inc., reviewed with the Council the revised energy audits that were previously discussed with the Council and also discussed with the Council the grant application forms that the City of Marshall can submit to the State Energy Agency for funds to cover most of the cost of conducting the energy audits. Hirmer moved, Schlagel seconded, the proper City Officials be allowed to submit this grant application to the State Energy Agency. All voted aye.

Purrington moved, Hirmer seconded, the approval of a change order in the amount of \$600.00 with Bisbee Plumbing & Heating on the mechanical contract for the Municipal Building for the replacement of a heat coil in the basement of the Municipal Building. The change order was previously received for a heat coil above the fire department quarters, this heat coil was repaired and did not have to be replaced. All voted in favor of the motion.

REGULAR MEETING - JANUARY 21, 1980 (CONT'D.)

Hirmer moved, Ritter seconded, the approval of the revised contract with Emanuelson-Podas, Inc., for the Consulting and Engineer work on the Municipal Building and Library. The City Council on December 17, 1979 increased the budget on the scope of work by approximately \$20,000. In keeping with article 14.2 of the original contract calling for 10% fee on the construction work, article 15 of the original contract is being increased to \$17,000. All voted in favor of the motion, except Berre and Schlagel.

Tom Osterberg and Ron Halgerson from Group II Architects discussed with the Council at this time the proposed plans and specifications for the energy conservation modifications to the Municipal Building and Library. The updated estimates of the probable cost for the Energy Conservation Project at the Library is \$30,000 and \$7,000 for the Municipal Building. Purrington moved, Hirmer seconded, the proper City Officials be allowed to advertise for bids for the energy conservation modifications to the Municipal Building and Library. These bids are to be received by Tuesday, February 12, 1980 and opened at 2:30 P.M. in the Council Chambers on the same day. All voted in favor of the motion.

Schlagel moved, Ritter seconded, the adoption of RESOLUTION NUMBER 345, SECOND SERIES and that the reading of the same be waived. Resolution Number 345, Second Series is a Resolution approving the application for Marshall Boxing Club Franchise License. This Resolution is approved under the condition that the Marshall Boxing Club receives the approval of the City Council of the City of Marshall as to each exhibition as to the building in which it is being held. All voted in favor of the motion.

At this time discussion was held on the award of a lease for computer hardware and services for the Weiner Memorial Medical Center. Mr. Ron Jensen, Administrator of the Weiner Memorial Medical Center, informed the Council that the hospital board had hired Mr. Clayton Peters as a consultant for investigating computer systems. During their investigation they had spoke with various cities as to the type of equipment they have and whether it was possible or not for a hospital and municipal body to work together on the same system. In their investigation is was the general consensus that a hospital and city could not work together on the same computer system. Hirmer moved, Purrington seconded, the awarding of the lease for computer hardware and services at the Weiner Memorial Medical Center be delayed for 2 months for the proper City Officials and Hospital Officials to work together to see if there is any possible systems that the hospital and city can use together. All voted in favor of the motion, except Ritter.

Mr. Jack Schultz had requested an opportunity to discuss with the members of the City Council an alternate program which would provide workmen's compensation insurance for the City of Marshall. Mr. Schultz did not have this information available at this time, therefore he requested a later date to discuss the proposal with the Common Council.

Hirmer moved, Purrington seconded, the proper City Officials be allowed to enter into an agreement with Short, Elliott, Hendrickson, Inc., for engineering services for the preparation, plans and specifications and contract documents for the Grit and Grease Removal Project at the Wastewater Treatment Facilities. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, to allow the proper City Officials to enter into a Mutual Fire Aid agreement between the City of Garvin and the City of Marshall; and between the City of Russell and the City of Marshall. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, a supplemental appropriation of approximately \$600 be made from the contingency account to the Marshall Fire Department to purchase 5 new large box springs for the beds in the sleeping quarters at the fire station. All voted in favor of the motion.

When the budget was prepared for fiscal 1980 the Fire Department budget included \$825 for the purchase of a new snow blower with an 8 horse power engine. The fire department has purchased a new snow blower with a 10 horse power engine and an electric start for a total cost of \$880. The Fire Department is requesting an appropriation be made from contingency at this time for the additional cost of \$55. Hirmer moved, Schlagel seconded, the Fire Department pay the additional \$55 out of their own funds. All voted in favor of the motion.

Schlagel moved, Purrington seconded, the adoption of RESOLUTION NUMBER 346, SECOND SERIES, and that the reading of the same be waived. Resolution Number 346, Second Series is a Resolution appointing James Heller as the Responsible

REGULAR MEETING - JANUARY 21, 1980 (CONT'D.)

Authority for the purposes of meeting all requirements of the Minnesota Government Data Practices Act, Minnesota Statutes, Section 15.1611 through 15.1698, as amended. All voted in favor of the motion.

Hirmer moved, Ritter seconded, and it was unanimously approved that the following bills be authorized for payment: GENERAL FUND, Voucher No. 67355 through 67451; LIQUOR FUND, Voucher No. 25785 through 25804; WASTEWATER FACILITIES FUND, Voucher No. 1567 through 1578; PARKING SYSTEM FUND, Voucher No. 2254 through 2257; DEBT SERVICE FUND, Voucher No. 1497 through 1498; REVENUE SHARING FUND, Voucher No. 156 through 157; and SPECIAL ASSESSMENTS FUND, Voucher No. 30 through 33.

The following building permits previously approved by the City Engineer were confirmed:

Wally Brewers, 906 Birch St.
Marshall, Wood frame addition
at Block 4, Lot 2, Ver Marv
Addition, \$16,000

Independent School District #413
207 North 4th St., Marshall
window replacement, Original Plat,
Part of Blocks 16 and 19, Lot NA
\$83,022

Taylor's Inc., Marshall
attached sign at Block 2,
Lots 4-8, Original Plat
\$125

Roger Asper, 501 Viking Drive, Marshall
waterproof basement. Block 6, Lot 5
Viking Addition, \$2500

Hirmer moved, Berre seconded, Mr. Pat McFarland of the Marshall Square be charged a reasonable rent beginning in 10 days on the entrance signs to the Marshall Square off East College Drive if these signs are not removed. Mr. McFarland had indicated to the Council the current entrance markers would be removed when the new sign was constructed. All voted in favor of the motion.

Purrington moved, Hirmer seconded, the City Attorney be directed to prosecute contractors and other individuals who begin construction without acquiring the proper building permit. All contractors are to receive a notice of this action. All voted in favor of the motion.

A meeting was set for February 4, 1980 at 5:30 P.M. at the Chalet for a joint meeting of the City Council and the Marshall School Board to review the applicants for the Park and Recreation Board.

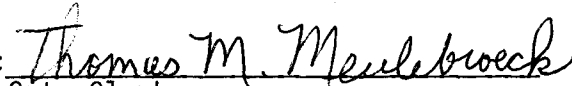
A policy for the use of the meeting rooms in the Municipal Building was discussed at this time. It was the general feeling that only one meeting could be reserved at a time; children could be allowed if supervised; there will be no meetings on weekends; and the rooms could be open to anyone for their use.

Mr. David Hammer, a representative from ECSU, discussed with the Council his feelings of the City and the hospital operating on one computer system.

Upon motion by Schlagel, seconded by Hirmer, the meeting was adjourned. All voted aye.


Mayor

ATTEST:


City Clerk

REGULAR MEETING - FEBRUARY 4, 1980

The regular meeting of the Common Council of the City of Marshall was held on February 4, 1980. The meeting was called to order by Mayor Schlagel at 7:30 P.M. In addition to the Mayor the following members were present: Hoffman, Purrington, Rogalski, Ritter and Hirmer. Absent: Berre.

Hirmer moved, Ritter seconded, the approval of the minutes of the regular meeting of the Common Council held on January 21, 1980 as filed with each member and that the reading of the minutes be waived. All voted in favor of the motion.

Be it noted the arrival of councilperson Berre.

Mr. Duane Aden, City Engineer, discussed with the Council at this time the amount to be assessed to property owners and the amount the City and the Municipal Utilities would pay on the cost of the improvements done in 1979.

Hirmer moved, Ritter seconded, the adoption of RESOLUTION NO. 347, SECOND SERIES and that the reading of the same be waived. Resolution No. 347, Second Series is a Resolution declaring the cost to be assessed and ordering the preparation of proposed assessment and calling a hearing on the proposed assessment for Bituminous Surfacing (Project No. BS 1979A). All voted aye.

Hirmer moved, Ritter seconded, the adoption of RESOLUTION NO. 348, SECOND SERIES and that the reading of the same be waived. Resolution No. 348, Second Series is a Resolution declaring the cost to be assessed and ordering preparation of proposed assessment and calling a hearing on the proposed assessment for Curb and Gutter (Project No. CG 1979A). All voted aye.

Hirmer moved, Ritter seconded, the adoption of RESOLUTION NO. 349, SECOND SERIES and that the reading of the same be waived. Resolution No. 349, Second Series is a Resolution declaring the cost to be assessed and ordering preparation of proposed assessment and calling a hearing on the proposed assessment for Gravel Base and Street Grading (Project No. GB-SG 1979A). All voted aye.

Hirmer moved, Ritter seconded, the adoption of RESOLUTION NO. 350, SECOND SERIES and that the reading of the same be waived. Resolution No. 350, Second Series is a Resolution declaring the cost to be assessed and ordering preparation of proposed assessment and calling a hearing on the proposed assessment for Watermain and Watermain Replacement (Project No. SAS-STW 1979A). All voted aye.

Hirmer moved, Ritter seconded, the adoption of RESOLUTION NO. 351, SECOND SERIES and that the reading of the same be waived. Resolution NO. 351, Second Series is a Resolution declaring the cost to be assessed and ordering preparation of proposed assessment and calling a hearing on the proposed assessment for Watermain Replacement (Project No. W 1979B). All voted aye.

Hirmer moved, Ritter seconded, the adoption of RESOLUTION NO. 352, SECOND SERIES and that the reading of the same be waived. Resolution No. 352, Second Series is a Resolution declaring the cost to be assessed and ordering preparation of proposed assessment and calling a hearing on the proposed assessment for Sanitary Sewer (Project No. SAS-STW 1979A). All voted in favor of the motion.

Hirmer moved, Ritter seconded, the adoption of RESOLUTION NO. 353, SECOND SERIES and that the reading of the same be waived. Resolution No. 353, Second Series is a Resolution declaring the cost to be assessed and ordering preparation of proposed assessment and calling a hearing on the proposed assessment for Storm Sewer (Project No. SAS-STW 1979A). All voted in favor of the motion.

Purrington moved, Schlagel seconded, to approve the Land Surveyors Certification of Correction to the Plat of Sunrise Park Addition dated June 13, 1969 and filed on June 17, 1969 in the office of the County Recorder, Lyon County, Minnesota as document number 05911. All voted in favor of the motion.

At the regular meeting of the Common Council of the City of Marshall held on January 21, 1980 Rich's Sanitation Service was awarded a bid for garbage pickup for one year beginning February 1, 1980 at the Main Sanitary Sewer Lift Station for \$400 per year for 6 days per week pickup service; and for the Side-walk Containers in the downtown area for once per week pickup service at \$200 per year. Mr. Rich Dwire has decided since that time not to sign the contract and provide the service as bid and awarded. Rogalski moved, Berre seconded, Ritter's Sanitary Service, Inc., be awarded the bid of \$1,296 per year for the

REGULAR MEETING - FEBRUARY 4, 1980 (CONT'D.)

Main Sanitary Sewer Lift Station and \$390 per year for the Downtown Sidewalk Containers for a total cost of \$1,692 per year which will then bring the total service fee with Ritter's to \$3,425 per year. All voted in favor of the motion, except Ritter who abstained.

Upon recommendation of the Legislation and Ordinance Committee, Hirmer moved, Rogalski seconded, to introduce an Ordinance prohibiting the sale, transfer and possession of drug related devices within the City limits of Marshall, Minnesota. All voted in favor of the motion.

Upon recommendation of the Legislation and Ordinance Committee, Hirmer moved, Ritter seconded, the introduction of an Ordinance amending certain sections of the City Code, Chapter 5. This Ordinance would amend the liquor regulations in the City Code to permit the use of certain gambling devices as provided by State Statutes. All voted in favor of the motion.

Schlagel moved, Berre seconded, Mr. Darrel Wiener be reappointed to the Park, Recreation and Community Education Board for a second term to begin March 1, 1980. Mrs. Jana Cobb was also appointed for her first term to the Park, Recreation and Community Education Board for a term of 3 years to begin March 1, 1980. All voted in favor of the motion.

Berre moved, Ritter seconded, that the next regular meeting be held on Tuesday, February 19, 1980 as the regular meeting date is a holiday. All voted aye.

Hirmer moved, Ritter seconded, and it was unanimously approved that the following bills be authorized for payment: GENERAL FUND, Voucher No. 67452 through 67540; WASTEWATER FUND, Voucher No. 1579 through 1601; PARKING SYSTEM FUND, Voucher No. 2258 through 2263; REVENUE SHARING FUND, Voucher No. 158; SPECIAL ASSESSMENTS FUND, Voucher No. 34 through 35; and LIQUOR FUND, Voucher No. 25805 through 25837.

The following building permits previously approved by the City Engineer were confirmed.

A & D Midwestern Builders,
Inc., Marshall
705 Elaine Avenue
Westmar Lots, Block 1, Lot 2
Dwelling, \$38,000

SWesta Builders Inc., Marshall
414 North 4th St.
Riverside Addition, Block 12, Lot 8
replace front and back doors
\$500

Marshall Inn, Marshall
1500 East College Drive
McFarland Addition, Block 3,
Lot 1; 2 free standing and
1 wall signs; \$2000

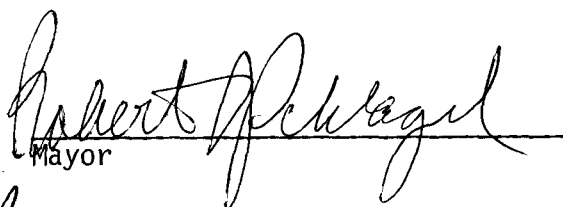
Bladholm and Hess, Marshall
305 West Lyon Street
Original Plat, Block 9, Lot 4
interior demolition, \$32,400

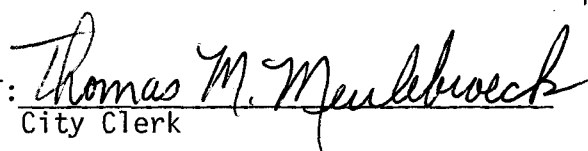
John Paxton, Marshall
107 "F" Street
Kerhove Addition, Block 1, Lot 1
2nd story and rear addition
\$17,000

Marshall Square, Marshall
Space 502 - Marshall Square
Section 3, SE $\frac{1}{4}$, Lot N/A
45 lineal feet of wall
\$2500

Robert L. Carr Co., Marshall
1400 East College Drive
McFarland Addition, Block 1, Lot 1
remodeling exterior, \$8000

Upon motion by Hoffman, seconded by Ritter, the meeting was adjourned. All voted in favor of the motion.


Mayor

ATTEST: 
City Clerk

REGULAR MEETING - FEBRUARY 19, 1980

The regular meeting of the Common Council of the City of Marshall was held on February 19, 1980. The meeting was called to order by Mayor Schlagel at 7:30 P.M. In addition to the Mayor the following members were present: Purrington, Hoffman, Rogalski, Ritter, Berre and Hirmer. Absent: none.

Berre moved, Hoffman seconded, the approval of the minutes of the regular meeting of the Common Council held on February 4, 1980 as filed with each member and that the reading of the minutes be waived. All voted aye.

At 2:30 P.M. on February 12, 1980 bids were received, opened and read for the energy conservation projects at the Marshall Municipal Building and Marshall-Lyon County Library. At approximately 2:35 P.M. Tom Osterberg, architect for Group II Architects, asked if there were any other bids other than those received from Robert L. Carr, Co., of Marshall, Minnesota; Slagel and Wambeke, Inc., of Marshall, Minnesota; and Salonek, Inc., of Springfield, Minnesota. There were no other bids received so Mr. Osterberg proceeded to open the first bid. Before the bid was read a fourth bid was received from SWesta Builders, of Marshall, Minnesota. There was no objection to the receiving and honoring of the SWesta Builders, Inc., bid from the people who were in attendance at the meeting, therefore Mr. Osterberg proceeded to open this bid along with the others. The bids received were as follows:

	Robert L. Carr, Co.	Slagel & Wambeke, Inc.	SWesta Builders, Inc.	Salonek, Inc.
Base Bid G	\$34,900	\$36,400	\$33,000	\$36,700
Municipal Building				
Overhead door removal and wall construction	5,000	3,370	3,249	3,000
Concrete platform modifications (Planter)	1,500	605	950	1,200
Reglazing work	4,200	3,700	4,687	4,000
Library:				
Perimeter wall insulation work	24,200	28,725	24,114	28,500
Completion	90	104	120	100

A discussion was held on general bidding requirements and procedures.

Rogalski moved, Ritter seconded, all bids be rejected and to readvertise for bids for the project to be received at the next regular City Council meeting. Rogalski and Ritter voted in favor of the motion. Purrington, Hoffman, Berre, Hirmer and Schlagel voted no.

Purrington moved, Schlagel seconded, the bid be awarded to SWesta Builders, Marshall, Minnesota in the amount of \$33,000. Hirmer moved, Berre seconded, the motion be amended to delete the \$950 for the concrete platform modification for a planter reducing the bid to \$32,050. All voted in favor of the amendment except Purrington and Ritter. All voted in favor of the motion as amended except Ritter.

Hirmer moved, Schlagel seconded, the adoption of ORDINANCE NO. 66, SECOND SERIES and that the reading of the same be waived. Ordinance No. 66, Second Series is an Ordinance prohibiting the sale, transfer and possession of drug related devices within the City Limits of Marshall, Minnesota. Mr. Dick Breyfogle expressed his concern in regard to this Ordinance by saying that he thought the Council should be more concerned with the more severe drugs that are being used in Marshall and not be concerned so much with the devices being used for smoking marijuana. All voted in favor of the motion.

Hirmer moved, Ritter seconded, the adoption of ORDINANCE NO. 67, SECOND SERIES and that the reading of the same be waived. Ordinance No. 67, Second Series is an Ordinance amending certain sections of the City Code, Chapter 5. All voted in favor of the motion.

Upon recommendation of the Planning Commission, discussion was held at this time on the application of Jay Baune and Frank Thompson for a variance adjustment permit at 800 and 802 Elaine Avenue. The variance adjustment permit would be for a side yard variance as well as a variance for less than the required number of square feet per lot. This lot was originally granted a conditional use permit for a duplex. A duplex as constructed on the lot would have garages separating the

REGULAR MEETING - FEBRUARY 19, 1980 (CONT'D)

housing units, however the garages were not constructed at the time of the construction of the housing units and the owners have now made application to build these garages. During an interim period of time the lots were divided into two parcels and sold independently which then established a new lot line in the center between the two units. Since the garages would be joined there would be a zero side yard if the permit is granted, also during the process the original 10,140 sq. ft. lot has now become (2) 5,000 sq. ft. parcels which are less than the 8,000 sq. ft. required for single family residence lots. Berre moved, Hirmer seconded, the granting of this variance permit be delayed until the next regular City Council meeting on March 3, 1980 for the Ordinance and Legislative Committee to review the City Code in regard to these matters to see whether or not they want to allow this type of construction to take place or whether or not they want to allow a variance adjustment permit for this type of construction to take place. All voted in favor of the motion.

Upon recommendation of the Planning Commission, Berre moved, Hoffman seconded, the introduction of an Ordinance rezoning property at 400 O'Connell Street from R-A to B-2. Marshall Square Company is requesting this Ordinance for rezoning of a 2 (plus) acre parcel of property located Southeasterly of the Marshall Square Shopping Center. The property is located between the West line of HWY. 23 bypass and the East line of O'Connell Street and HWY. 23. All voted in favor of the motion.

Purrington moved, Berre seconded, the Ordinance and Legislative Committee review the Ordinances pertaining to duplex housing and home occupation conditional use permits in R-1 Districts as recommended by the Planning Commission. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, the Eagles Club be granted a gambling permit allowing the use of certain gambling devices and raffles. All voted in favor of the motion.

Purrington moved, Rogalski seconded, the proper City Officials be allowed to enter into an agreement with the Marshall Independent School District No. 413 and the City of Marshall to provide for a Joint Community Park, Recreation and Community Education Program. All voted in favor of the motion.

At the regular meeting of the City Council held on January 21, 1980 the awarding of a lease for computer hardware and services for the Weiner Memorial Hospital was postponed to allow time to pursue the feasibility of the City and hospital jointly going together on one computer operation. Since that time hardware costs have been received from various vendors for the City and hospital to operate a system jointly or separately. From the costs received it seems financially less expensive for the two operations to be separate. In addition to a joint system being more expensive there does not appear to be any particular advantages that would be accrued, but there would be a number of disadvantages. Kyle Kary a representative from NCR was in attendance at the meeting and indicated to the council since the bids were received in January NCR has announced a price reduction in its computer hardware. Berre moved, Schlagel seconded, the awarding of a lease for computer hardware and services be referred back to the Weiner Memorial Hospital Board to get a final bid from Burroughs and NCR. All voted aye.

A list of proposed 1980 Improvement Projects was submitted by the City Engineer. Purrington moved, Hoffman seconded, the adoption of RESOLUTION NO. 354, SECOND SERIES and that the reading of the same be waived. Resolution No. 354, Second Series is a Resolution ordering the preparation of the Engineers feasibility report on the improvements. All voted aye.

At the regular meeting of the City Council of the City of Marshall held on October 1, 1979 it was approved to extend the use agreement of the snow blower with Southwest State University for 17 months beginning May 1, 1979. Previous Council action had approved an agreement thru April 30, 1980, therefore the 17 month agreement approved effective May 1, 1979 had not been executed. Purrington moved, Hirmer seconded, the approval of the extension of the use agreement for a snow blower with Southwest State University for a 17 month period to begin May 1, 1980 and end on September 31, 1981. All voted aye.

At this time the Council Chambers were closed for the Council to discuss with the City Attorney the court order issued on the assessment to the Stearn's property of the Downtown Project. It was the general feeling of the Council that they should attempt to negotiate a settlement on the assessment.

REGULAR MEETING - FEBRUARY 19, 1980 (CONT'D)

Hoffman moved, Berre seconded, the proper City Officials be allowed to enter into an agreement between the State of Minnesota and the City of Marshall for local Fire Marshal to attend a training course to enable him to conduct an annual inspection of all hotels and motels within the City of Marshall. If this agreement is carried out there is no liability passed onto the City of Marshall. All voted in favor of the motion.

Schlagel moved, Purrington seconded, that Monday, February 25, 1980 at 7:30 be the date and time set for the full Council to review the applicants for the position of Director of Public Safety. All voted in favor of the motion.

Purrington moved, Ritter seconded, Bob Rummel, Randy Replinger and Jean Replinger be appointed to the Energy Conservation Committee. All voted in favor of the motion.

Hirmer moved, Purrington seconded, the proper City Officials be allowed to enter into a mutual fire aid agreement between the City of Lynd and the City of Marshall. All voted aye.

Berre moved, Purrington seconded, the Civil Service Commission certify an additional applicant for consideration to fill the vacancy created by the resignation of Pat Flahavan from the Police Force. All voted aye.

Berre moved, Schlagel seconded, and it was unanimously approved that the following bills be authorized for payment: GENERAL FUND, Voucher No. 67541 through 67632; SPECIAL ASSESSMENTS FUND, Voucher No. 36 through 39; DEBT SERVICE FUND, Voucher No. 1499; REVENUE SHARING FUND, Voucher No. 159; PARKING SYSTEM FUND, Voucher No. 2264 through 2270; LIQUOR FUND, Voucher No. 25838 through 25856; and WASTEWATER FACILITIES FUND, Voucher No. 1602 through 1629.

The following building permits previously approved by the City Engineer were confirmed:

Gladys Grant, Marshall
301 Lawrence Street
Block 2, Lot 1, DeSchepper
1st Addition. remove 1 window,
replace 1 window and remodel
kitchen, \$800

Brian Murphy, Marshall
605 Elaine Avenue
Block 3, Lot 10, Eatros 5th Add.
finish recreation room and replace
door, \$2,000

Slagel & Wambeke, Marshall
207 North 5th St.
Block 17, Lot: part of 1 & 2,
Original Plat, install bathroom
\$5,800

Hisken Construction, Marshall
405 North 5th St.
Block 2, Lot 10, Fre-Mar Add.
replace siding, replace windows
and remodel cabinets, \$6,500

O. A. Rockman, Marshall
509 West Redwood St.
Block 17, Lot 5, Original Plat
Renewal - Bathroom installation
\$2,800

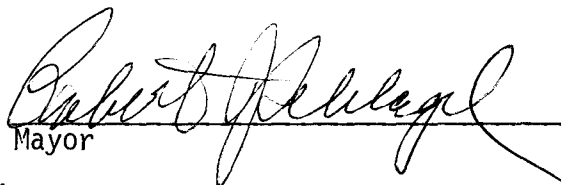
Ronald Deike, Marshall
805 North Fifth St.
Block 2, Lot 10, Fre-Mar Add.
install woodburning stove
\$400

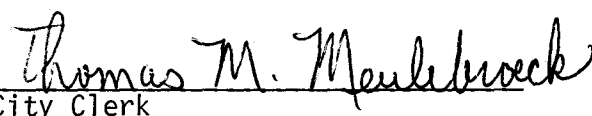
Galen Meyers, Marshall
410 South Whitney
Quarter: (part of) SE¼, Lot: NA, Section 4
Remodel family room in basement, \$600

Kellen J. Cardell, Marshall
207 South 1st St.
Block 7, Lot 4, Blake's Addition
remodel basement wall and move
kitchen opening \$600

Over the years the Charter Commission has dissolved. The City Attorney requested that each Council member acquire two prospective members to serve on this 15 member board. Eight members would serve for 2 year terms and 7 members would serve for a 4 year term.

Upon motion made by Schlagel, seconded by Hirmer, the meeting was adjourned. All voted aye.


Mayor

Attest: 
City Clerk

SPECIAL MEETING - FEBRUARY 25, 1980

Mayor Schlagel called the meeting to order at 7:30 P.M. Members present: Hoffman, Rogalski, Purrington and Ritter. Absent: Hirmer and Berre.

Mayor Schlagel stated that the purpose of the meeting was to review the applications that have been received for the position of Director of Public Safety. Following considerable discussion it was decided that the following applicants should be invited to proceed in the selection process: Gary Rick, Bovey, Minnesota; John Tomasek, Marshall, Minnesota; Ronald Holt, Melrose, Minnesota; John Vereb, Taylor, Michigan; and Charles Grover, Shakopee, Minnesota.

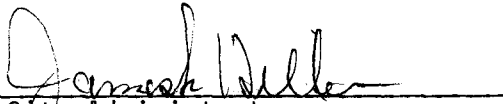
At this time considerable discussion occurred in regard to the various processes and procedures that could be used to evaluate the invited applicants for the position and whether to request the assistance of various people in the community that may have special skills of value to this process. The City Administrator was requested to acquire additional information on the "In-Basket Test" in terms of cost and the length of time it would take to get the results. It was also suggested that an examination board existing of the City Administrator, a professional law enforcement administrator, and a management specialist would evaluate the five applicants and provide that information in addition to the possible "In-Basket" results to the Council prior to the interviews that will be conducted by the Council. It was also suggested that the City Administrator request the former Director of Public Safety, Chet Wiener, to assist him in the back ground investigations. The person eventually selected for the position would be requested to successfully complete a medical and psychological examine prior to assuming the position.

As in the past for similar positions, the travel expenses would be paid if necessary for out of state applicants. While the Council interview of the applicants would not be conducted as an open forum for public participation, it was suggested that the S.S.U. administration should be invited to observe the proceedings and suggest questions that members of the Council may ask the applicants.

Upon motion and a second, the meeting was ajourned.


Mayor

ATTEST:


City Administrator

REGULAR MEETING - MARCH 3, 1980

The regular meeting of the Common Council of the City of Marshall was held on March 3, 1980. The meeting was called to order by Mayor Schlagel at 7:30 P.M. In addition to the Mayor the following members were present: Purrington, Hoffman, Rogalski, Ritter, Berre and Hirmer. Absent: none.

Rogalski moved, Berre seconded, the approval of the minutes of the regular meeting of the Common Council held on February 19, 1980 and the minutes of the special meeting of the Common Council held on February 25, 1980 as filed with each member and that the reading of the minutes be waived. All voted aye.

A public hearing was held for the 1979 Improvement Projects and adopting the assessment roll. The City Engineer explained each project and asked if there were objections, adjustments or revisions. As there were no objections, Hoffman moved, Hirmer seconded, the adoption of RESOLUTION NUMBER 355, SECOND SERIES and that the reading of the same be waived. Resolution Number 355, Second Series is a Resolution approving the assessment roll for Bituminous Surfacing (Project No. BS 1979A) and setting the interest rate a 8% with payment over a period of 8 years. All voted aye.

The next public hearing was for Curb & Gutter. With no adjustments or corrections, Hoffman moved, Hirmer seconded, the adoption of RESOLUTION NO. 356, SECOND SERIES and that the reading of the same be waived. Resolution No. 356, Second Series is a Resolution approving the assessment for Project No. CG 1979A and setting the interest rate at 8% with payment over a period of 8 years. All voted aye.

The next public hearing was on Gravel Base and Street Grading Project. With no adjustments or corrections, Hoffman moved, Hirmer seconded, the adoption of RESOLUTION NO. 357, SECOND SERIES and that the reading of the same be waived.

REGULAR MEETING - MARCH 3, 1980 (CONT'D.)

Resolution No. 357, Second Series is a Resolution approving the assessment for Project No. GB-SG 1979A and setting the interest rate at 8% with payment over a period of 8 years. All voted aye.

A public hearing was held on the Sanitary Sewer, Storm Sewer, Watermain and Watermain Replacement Project. With no objections, Hoffman moved, Hirmer seconded, the adoption of RESOLUTION NO. 358, SECOND SERIES and that the reading of the same be waived. Resolution No. 358, Second Series is a Resolution approving the assessment roll on Project No. SAS-STS-W 1979A and setting the interest rate at 8% with payment over a period of 8 years. All voted aye.

The final public hearing was on the Watermain Replacement. With no objections, Hoffman moved, Hirmer seconded, the adoption of RESOLUTION NO. 359, SECOND SERIES and that the reading of the same be waived. Resolution No. 359, Second Series is a Resolution approving the assessment roll on Project No. W 1979B and setting the interest rate at 8% with payment over a period of 8 years. All voted aye.

Purrington moved, Hirmer seconded, the adoption of ORDINANCE NO. 68, SECOND SERIES and that the reading of the same be waived. Ordinance No. 68, Second Series is an Ordinance amending Chapter 11 of the City Code relating to zoning. The property being rezoned from R-A to B-2 is at 400 O'Connell Street. All voted in favor of the motion.

Purrington moved, Ritter seconded, Mr. Patrick Egan be granted a dance permit for Saturday, March 8, 1980 at the Marshall National Guard Armory between the hours of 8 o'clock P.M. and 12 o'clock midnight at a fee of \$25.00. All voted in favor of the motion.

Hoffman moved, Schlagel seconded, a 3 month temporary non-intoxicating liquor license be granted to Southwest State University Student Association to begin March 1, 1980 and to end on May 31, 1980 for a fee of \$25.00. All voted in favor of the motion.

Rogalski moved, Schlagel seconded, the Weiner Memorial Medical Center be allowed to enter into a lease agreement for electronic data processing service with Burroughs Corporation for a 5 year period for a total cost of \$53,050 for hardware and software. All voted in favor of the motion.

At this time discussion was held on the fire contracts for the period May 1, 1980 through April 30, 1981 for various Townships surrounding the City of Marshall. Schlagel moved, Ritter seconded, the approval of the contracts be postponed until the regular City Council meeting of March 17, 1980 at which time the townships officials are to be invited to attend. All voted in favor of the motion.

Schlagel moved, Ritter seconded, the adoption of RESOLUTION NO. 360, SECOND SERIES and that the reading of the same be waived. Resolution No. 360, Second Series is a Resolution approving the final plat for Luknic Addition. All voted in favor of the motion.

Hirmer moved, Ritter seconded, the adoption of RESOLUTION NO. 361, SECOND SERIES and that the reading of the same be waived. Resolution NO. 361, Second Series is a Resolution declaring assessments as being paid for Storm Sewer System in the area of the Marshall Square Shopping Center (McFarland Second Addition) identified in Project No. (STS 1977B). All voted aye.

Hirmer moved, Ritter seconded, the approval of a change order in the amount of \$4,323.52 for Project No. GB-SG 1979A with Anderson Construction Company. This change order allows for the furnishing of additional gravel on Travis Road. The extra gravel will bring the fill up to the required elevation and serve as a base for the curb and gutter and future surface installation. All voted in favor of the motion.

Hoffman moved, Berre seconded, the adoption of RESOLUTION NO. 362, SECOND SERIES and that the reading of the same be waived. Resolution No. 362, Second Series is a Resolution receiving the Engineer's Feasibility report and calling for a public hearing on the 1980 Public Improvement Projects. The public hearing was set for the regular meeting on April 7, 1980. All voted in favor of the motion.

Purrington moved, Hirmer seconded, the adoption of RESOLUTION NO. 363, SECOND SERIES and that the reading of the same be waived. Resolution No. 363, Second Series is a Resolution authorizing the proper City Officials to enter into an agreement with the Minnesota Department of Transportation Aeronautics Division for the paint stripping of the airport runways. This agreement expires in November of 1989. With this agreement the only cost to the City is for the cost of the paint.

REGULAR MEETING - MARCH 3, 1980 (CONT'D.)

All voted in favor of the motion.

Purrington moved, Schlagel seconded, the adoption of RESOLUTION NO. 364, SECOND SERIES, and that the reading of the same be waived. Resolution No. 364, Second Series is a Resolution of the City Council of the City of Marshall, Minnesota appointing individuals to the Charter Commission. The following individuals were to be recommended to the District Court Judge for appointment and to be appointed to a 2 year term: Alfred Bendel, Bobbie Mazick, Dr. Robert Johnson, Robert Gorgas, Art Olson, Mary Palmer, Keith Hempel, and Bill Ritter; and the following individuals were appointed to a 4 year term: Patricia Reinhart, Dr. John Feda, Pat Leary, A. J. Henle, Chuck Lutz, Jr., Linda Berre and Clarence Paxton. All voted in favor of the motion.

At this time discussion was held on the public hearing to be held on March 10, 1980 in regard to the railroad abandonment of the Chicago & Northwestern Railroad between Gary, South Dakota and Tracy, Minnesota. Hoffman moved, Schlagel seconded, the proper City Officials be directed to attend this public hearing to express the City of Marshall's opposition to the railroad abandonment and that if the railroad is abandoned the City of Marshall is interested in acquiring all or part of that tract which lies within the City of Marshall corporate limits. All voted in favor of the motion.

At the special meeting of the City Council held on February 25, 1980 the City Administrator was requested to acquire additional information on the "In-Basket" test to be given to the applicants for the position of Director of Public Safety. The City Administrator was informed this test would cost the City of Marshall approximately \$3,000. Berre moved, Hirmer seconded, 3 additional applicants be invited to take the test for the position of Director of Public Safety. Berre and Hirmer voted in favor of the motion. Rogalski, Purrington, Ritter, Hoffman, and Schlagel voted no.

Purrington moved, Schlagel seconded, the approval of the appointment of an examination board consisting of the City Administrator, a professional law enforcement administrator, and a management specialists to conduct the oral interviews of the five candidates on an appropriate date for all. It was also moved that the full Council hold an oral interview of the top 3 candidates at an appropriate time to all. All voted in favor of the motion except Berre and Hirmer.

A discussion on the sale of the land formerly used as sewage lagoons at the Wastewater Treatment Plant was held at this time. Mr. Bill Ritter indicated to the Council that the Public Works Committee has not negotiated any sales of this property at this time, therefore he suggested that the lagoons be advertised for sale. Mr. Mark Lee, Executive Vice-President of the Chamber of Commerce, indicated that he thought the Marshall Industries Foundation would not like these parcels put up for sale at this time but would like to do some further negotiating on the possibility of purchasing one of these lagoons. Ritter moved, Berre seconded, the action on the sale of these lagoons be delayed until the Marshall Industries Foundation decides whether or not they want to purchase one or more of these lagoons. All voted in favor of the motion.

Mr. Duane Aden, City Engineer, discussed with the Council at this time the development of the Channel Parkway Project. It is necessary at this time to form a committee to acquire 6 parcels of property in conjunction with the Channel Parkway Project. Hirmer moved, Rogalski seconded, the Mayor appoint council person, Purrington, The City Assessor, City Attorney and the City Engineer to negotiate the purchase of this property with the property owners. It is the intent to acquire this property through the utilization of Municipal State Aid Streets Funds. All voted aye.

Berre moved, Ritter seconded, the transfer of \$350 be made from the general supplies account of the Police Department budget to the capital expenditure account of the Police Department budget for the purchase of 2 chairs and a table. All voted in favor of the motion.

At this time the City Attorney discussed with the Council an Ordinance pertaining to two family dwellings and its relationship to individual and/or joint ownerships. Hirmer moved, Purrington seconded, the introduction of the Ordinance be amended to include that no units are eligible under this Ordinance unless the division occurs along the lot lines. All voted in favor of the motion.

Hirmer moved, Berre seconded, the introduction of this Ordinance as amended. All voted aye.

REGULAR MEETING - MARCH 3, 1980 (CONT'D.)

Hirmer moved, Rogalski seconded, and it was unanimously approved that the following bills be authorized for payment: WASTEWATER FACILITIES FUND, Voucher No. 1630 through 1651; REVENUE SHARING FUND, Voucher No. 160 through 162; PARKING SYSTEM FUND, Voucher No. 2271 through 2276; SPECIAL ASSESSMENTS FUND, Voucher No. 40 through 42; DEBT SERVICE FUND, Voucher No. 1500 through 1503; LIQUOR FUND, Voucher No. 25857 through 25888; and GENERAL FUND, Voucher No. 67633 through 67740.

The following building permits previously approved by the City Engineer were confirmed:

Marshall Municipal Utilities, Marshall
113 South Fourth Street
"A" Addition, Block 3, Lot N/A
Entry vestibule, \$1,600

St. Stephen Lutheran Church
305 Camden Drive, Marshall
Eatros Place, Block 1, Lot N/A
new office, new meeting room
ceiling, \$2,000

Doom & Cuypers, Marshall
North Third St.
Original Plat, Block 10,
Lot Part of 5
close 7 windows, \$500

Dave Hammer, Marshall
606 Kennedy St.
Van Uden 2nd Addition,
Block 1, Lot 8, Build storage
wall and wall around shower stall
and stool (basement) \$500

Prestige Auto Body Rebuilders,
1005 Southview Drive, Section
9, Part of NE $\frac{1}{4}$, Lot N/A
Extending office area and add
storage room and bathroom
\$3,000

Slagel & Wambeke, Marshall
109 South High Street
Morningside Heights Addition,
Block 3, Lot part of 14, 15, 16
build addition to home, \$15,000

Richard H. Jorgensen, Marshall
916 West Main St., Section 5,
NE $\frac{1}{4}$, Lot N/A, converting cellar
into basement, new vinyl siding,
windows, \$5,000

Leland Larson, Marshall
Route 2, Box 182, (North Legion
Field Road) Section 5, Part of NW $\frac{1}{4}$
of SE $\frac{1}{4}$, Lot N/A, sheet rock walls
and ceiling tile, \$500

Schwan's Sales Enterprises, Marshall
605 South Fourth Street, Jansen's
Sub-Division of Nielsen's Addition,
Part of Outlot 3, Lot N/A
remove partitions, construct entry
\$9,500

Marshall Foods, Inc.,
108 West College Drive
Original Plat, Block 3, Lot 19
construct interior partitions and
close exterior window openings
\$71,695

The building permit for Schwan's Sales Enterprises of 605 North 4th Street was approved with the condition that the addition be removed at the time the current conditional use permit expires. The permit for Marshall Foods, Inc., of 108 West College Drive was permitted for the warehouse construction but not for the food packaging which is to take place at this location since this is not a permitted use in this area. Further zoning action pertaining to the food packaging operations is pending.

Upon motion by Schlagel, seconded by Hirmer, the meeting was adjourned. All voted aye.

Mayor

ATTEST:

City Clerk

REGULAR MEETING - MARCH 17, 1980

The regular meeting of the Common Council of the City of Marshall was held on March 27, 1980. The meeting was called to order by Mayor Schlage1 at 7:30 P.M. In addition to the Mayor the following members were present: Purrington, Hoffman, Rogalski, Ritter, Berre and Hirmer. Absent: none.

Berre moved, Rogalski seconded, the approval of the minutes of the regular meeting of the Common Council held on March 3, 1980 as filed with each member and that the reading of the minutes be waived. All voted aye.

Hirmer moved, Berre seconded, the adoption of ORDINANCE NO. 69, SECOND SERIES, and that the reading of the same be waived. Ordinance No. 69, Second Series is an Ordinance amending certain sections of the City Code, Chapter 11. This Ordinance outlines 10 considerations in the granting of conditional use permits for two family dwellings that would be developed through a split ownership procedure. The Planning Commission had recommended the adoption of this Ordinance excluding items 2, 5, & 7 as outlined under section 1C. Item no. 2 is in reference to the owner executing a common maintenance agreement containing covenants as to the uninformaty of exterior appearance of the dwellings. Item no. 5 is in reference to the dwelling location on the lot being compatable with the neighborhood and Item no. 7 is in reference to any accessory building being capatable with the dwelling and surrounding neighborhood. All voted in favor of the motion to adopt the Ordinance as introduced.

At the regular meeting of the Common Council held on March 3, 1980 the fire contracts between the City of Marshall and the various townships surrounding the City of Marshall were discussed. It was recommended at that time to investigate alternatives for the proposed rate to be charged to the various townships. The various approaches considered were on the basis of population, calls answered, assessed protected value, out of the pocket cost for rural fire service and the KOPP Formula. Schlage1 moved, Purrington seconded, the contracts be presented to the various townships as was previously presented to the Council. All voted in favor of the motion.

A petition was received at this time from a majority of the property owners for the construction and/or installation of curb & gutter, street grading, gravel base and bituminous surfacing for Rainbow Drive from Madrid Road to Burlington Northern Railroad; Madrid Road from Legion Road to ½ Block West of Rainbow Drive and Legion Road from Burlington Northern Railroad to 1 Block North of Madrid Road. Rogalski moved, Hirmer seconded, the adoption of RESOLUTION NO. 365, SECOND SERIES and that the reading of the same be waived. Resolution No. 365, Second Series is a Resolution declaring adequacy of petition and ordering preparation of report for Curb & Gutter (Project No. CG 1980B) and Gravel Base, Street Grading, and Bituminous Surfacing (Project No. GB-SG-BS 1980B). All voted in favor of the motion.

Rogalski moved, Hirmer seconded, the adoption of RESOLUTION NO. 366, SECOND SERIES and that the reading of the same be waived. Resolution No. 366, Second Series is a Resolution receiving the Engineer's Feasibility Report and calling for a hearing on the public improvement for Curb & Gutter, Project No. CG 1980B: and Street Grading, Gravel Base and Bituminous Surfacing, Project No. GB-SG-BS 1980B; on Legion Road, Madrid Road and Rainbow Drive. All voted in favor of the motion.

Hoffman moved, Schlage1 seconded, Marshall Foods Inc., be granted a conditional use permit to classify a food packaging operation as a conforming permitted use in a I-1 District at 108 West College Drive. All voted in favor of the motion.

Mr. Al Rome, Superintendent of Marshall Municipal Utilities, was in attendance at the meeting to review the annual audit for Marshall Municipal Utilities for the fiscal year ending December 31, 1979.

Upon recommendation of the Marshall Municipal Utilities, Schlage1 moved, Hoffman seconded, the meter man for the Marshall Municipal Utilities be allowed free parking in the downtown area for about 3 days a month while he is reading the meters and using his own vehicle. Hoffman, Ritter and Schlage1 voted in favor of the motion. Purrington, Rogalski, Berre and Hirmer voted no. The motion was defeated.

Schlage1 moved, Hirmer seconded, to authorize the proper city officials to petition the Federal Aviation Administration to install Distance Measuring Equipment at the Marshall Municipal Airport. The cost of the equipment, installation and maintenance of this project would be 100% funded by the State of Minnesota. All voted in favor of the motion.

REGULAR MEETING - MARCH 17, 1980 (CONT'D.)

Upon recommendation of the Airport Commission, Ritter moved, Berre seconded, a rental rate be set at \$12.00 per month for end storage areas of the "T" Hanger Buildings at the Marshall Municipal Airport. These storage areas are to be used only for the storage of aircraft or aviation oriented materials and that are not hazardous (volatile) products. All voted in favor of the motion.

The airport house located near the airport entrance was the next item of discussion. Upon recommendation of the Airport Commission, Hoffman moved, Ritter seconded, the Airport Commission be allowed to receive bids for the removal of the house and if no bids are received permission was granted to the Airport Commission to have the house demolished. All voted in favor of the motion.

Purrington moved, Hirmer seconded, to approve the land surveyors certificate of correction to the plat of Block 4 of McFarland Addition dated March 29, 1979 and filed on April 11, 1979 in the office of the County Recorder, Lyon County, Minnesota as Document No. 36102. All voted in favor of the motion.

On September 16, 1974, Ordinance No. 555 was adopted vacating a portion of Birch Street lying Westerly of State Street. This property was originally deeded from the Southwest State College Foundation to the City of Marshall. It was the request of legal consul that this property be deeded back to Southwest State College Foundation. Hirmer moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 367, SECOND SERIES, and that the reading of the same be waived. Resolution Number 367, Second Series is a Resolution authorizing the proper city officials to execute the deed to convey a portion of vacated Birch Street of the City of Marshall to Southwest State University Foundation. This authorization is to include an easement for sanitary sewer and storm sewer on this property. All voted in favor of the motion.

The City Code of the City of Marshall requires a plumbers bond in the amount of \$1,000 for an individual obtaining a plumbers license. Mr. Morris Buysse, age 82, is a retired licensed plumber in Minnesota residing in Marshall, who is not performing any plumbing work but still desired to hold a City license, and requests that he not be required to file the plumbers bond due to the cost of the bond. Hirmer moved, Purrington seconded, the plumber bond requirement be waived on the condition that he will not actually be doing plumbing work, for Mr. Morris Buysse. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, the proper city officials be authorized to grant a roadway easement of 66 feet on the Channel Parkway right-of-way between the City of Marshall, McLaughlin & Schulz, Inc., and KOCH Asphalt Co. All voted in favor of the motion.

Upon recommendation of the Personnel Committee, Mr. Jim Heller, City Administrator, discussed with the Council several minor changes in the Personnel Policy. The Council was informed an agenda will be posted of the personnel committee's activity when there is any action to be taken which involves the benefits of the employees. There was no action taken at this time to adopt a resolution amending the employee personnel policy.

At the regular meeting of the Common Council held on March 3, 1980 Resolution Number 364, Second Series was adopted appointing members to the Charter Commission. Since this time it has been discovered that a member may not serve more than 2 successive terms, therefore Mr. Pat Leary is unable to serve on this commission at this time. Mr. Bill Murphy was recommended to fill the position of Pat Leary. Schlagel moved, Purrington seconded, the adoption of RESOLUTION NUMBER 368, SECOND SERIES and that the reading of the same be waived. Resolution Number 368, Second Series is a Resolution amending appointments to the Charter Commission of the City Council of the City of Marshall. The following individuals were to be recommended to the District Court Judge for appointment: to be appointed for a two year term are Alfred Bendel, Bobbie Mazick, Dr. Robert Johnson, Robert Gorgas, Art Olson, Mary Palmer, Keith Hempel and Bill Ritter, and the following individuals were appointed for a four year term: Patrica Reinhart, Dr. John Feda, Bill Murphy, A. J. Henle, Chuck Lutz, Jr., Linda Berre and Clarence Paxton. All voted in favor of the motion.

Hirmer moved, Rogalski seconded, and it unanimously approved that the following bills be authorized for payment: GENERAL FUND, Voucher No. 67741 through 67863; WASTEWATER FACILITIES FUND, Voucher No. 1652 through 1678; PARKING SYSTEM FUND, Voucher No. 2277 through 2285; SPECIAL ASSESSMENTS FUND, Voucher No. 43 through 45; DEBT SERVICE FUND, Voucher No. 1504; and LIQUOR FUND, Voucher No. 25889 through 25909.

REGULAR MEETING - MARCH 17, 1980 (CONT'D.)

Upon recommendation of the Personnel Committee, Hoffman moved, Purrington seconded, Jullo Kor, Ronald Meulebroeck and Stanley Serreyn be given a 2% promotional increase. With the 2% promotional increases Jullo Kor, Street Superintendant, will be increased from \$1,554 per month to \$1,585 per month effective January 1, 1980; Ronald Meulebroeck, Assistant Street Superintendant, will be increased from \$1,363 per month to \$1,390 per month effective March 1, 1980; and Stanley Serreyn, Assistant Wastewater Treatment Plant Superintendant, will be increased from \$1,345 per month to \$1,372 per month effective March 1, 1980. Six month increases were approved for the following individuals: Robert VanMoer, Wastewater Treatment Plant Operator I, from \$820 per month to \$857 per month effective January 16, 1980; Gregory Waibel, Municipal Liquor Store Retail Clerk, from \$710 per month to \$738 per month effective March 16, 1980. It was also approved to give the following individuals a one year increase: Jane DeVries, City Clerk Receptionist/Secretary, from \$675 per month to \$716 per month effective February 1, 1980; Ernest Seppi, Wastewater Treatment Plant Operator I, from \$993 per month to \$1,035 per month effective March 1, 1980; and Michael Thompson, Park Maintenance, from \$879 per month to \$923 per month effective March 16, 1980. All voted in favor of the motion.

The following building permits previously approved by the City Engineer were confirmed:

Bladholm & Hess, Marshall
108 West College Drive
Original Plat, Block 3, Lot 19
Construct interior partitions and
close exterior window openings
\$71,695.00

Frederick Almer, Marshall
804 Woodfern Drive
Southview 2nd Add., Block 4, Lot 3
Construct lower floor partitions
and bathroom, \$1,500

Bladholm & Hess, Marshall
North Highway 59
Section 4, part of NW $\frac{1}{4}$, Lot NA
Breaking & transfer room ceiling;
Bag House construction, \$161,309

Randy Parde, Marshall
1420 East College Drive
McFarland Addition, Block 2, Lot 6
revise openings, \$500

Persons & Regnier, Marshall
1405 East College Drive
Frank J. McLaughlin Subdivision,
Lot: part of 3 & 4, interior
remodeling, \$3,300

Geske, Lynd
114 East Saratoga Street
Blakes Addition, Block: Part of 7, Lot NA
Exterior siding and window replacement
\$2,590

Hiskin Const., Marshall
308 North High Street
Riverside Addition, Block 9, Lot 3
Reside house, \$5,200

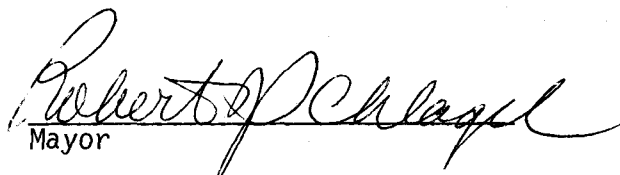
Ray Mohwinkel, Marshall
620 Donita Avenue
First Addition to Eatros Place,
Block 1, Lot 4
Patio & patio door (Screened patio)
\$2,350

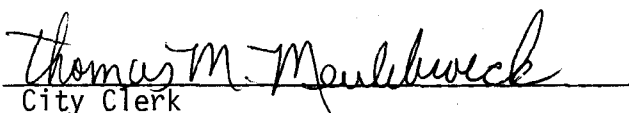
Bladholm & Hess, Marshall
North Highway 23
Section 3, Part of NE $\frac{1}{4}$, Lot NA
Replace courtyard steps, Physical Ed. Bldg.,
Central Academic Bldg., Fine Arts Bldg.
\$11,600

Hoffman moved, Berre seconded, the Marshall Lyon County Library Board be deleted from the City of Marshall pay plan and classifications. All voted in favor of the motion.

At this time a Transportation Committee meeting was set for 12 o'clock noon on April 3, 1980 at the Hanging Forest Restaurant.

Upon motion made by Schlagel, seconded by Ritter, the meeting was adjourned. All voted in favor of the motion.


Mayor

ATTEST: 
City Clerk

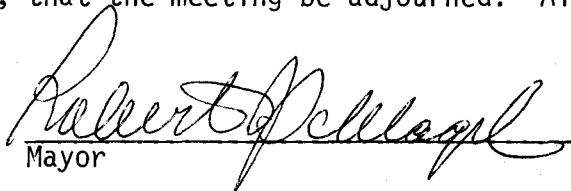
SPECIAL MEETING - MARCH 24, 1980

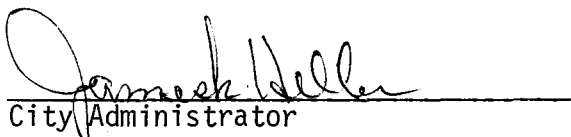
The special meeting of the Common Council of the City of Marshall was held on March 27, 1980 at the Hanging Forest Restaurant. The meeting was called to order by Mayor Schlagel at 5 P.M. In addition to the Mayor the following members were present: Purrington, Rogalski, Hirmer, Berre, Ritter and Hoffman. Absent: none.

Mayor Schlagel stated that the purpose of the meeting was to discuss the five finalists for the position of Director of Public Safety. The five finalists are: John Vereb, Charles Grover, John Tomasek, Garry Rick and Ronald Holt.

Schlagel moved, Berre seconded, that Mr. Garry Rick be appointed to the position of Director of Public Safety subject to the successful completion of background and reference checks and a physical examination. All voted in favor of the motion.

Schlagel moved, Rogalski seconded, that the meeting be adjourned. All voted in favor of the motion.


Mayor


City Administrator

REGULAR MEETING - APRIL 7, 1980

The regular meeting of the Common Council of the City of Marshall was held on April 7, 1980. The meeting was called to order by Mayor Schlagel at 7:30 P.M. In addition to the Mayor the following members were present: Purrington, Hoffman, Rogalski, Ritter, Berre and Hirmer. Absent: none.

Hirmer moved, Ritter seconded, the approval of the minutes of the regular meeting of the Common Council held on March 17, 1980 as corrected and the minutes of the special meeting held on March 24, 1980 as filed with each member and that the reading of the minutes be waived. All voted aye.

At this time the Mayor called for the public hearing on the proposed 1980 improvement projects. Engineer, Duane Aden, specifically listed each street or portion thereof that is need of improvement of curb & gutter, street grading & gravel base, bituminous surfacing, sanitary sewer, watermain and watermain replacement. He asked of the audience if there were any objections or questions on improvements to each of these designated street improvements. Ms. Lydia Young was concerned with the cost, the thickness, the width and whether there would be any removal of bushes and trees with the bituminous surfacing project in the alley of Block 6 of Addition "A" from South 4th Street to South 5th Street? Mr. Aden indicated to her that the cost per front footage would be \$1.72, the thickness of the bituminous surfacing would be approximately 2", the width of the pavement in the alley would be 12', and that there was no intention of removing any bushes or trees along the alley. Mr. Elton McDaniel questioned the size of the watermain in the area of Simmons, Peltier and Glenn Street? Mr. Aden informed him that the area is presently being served with inadequate 1" and 2" diameter service lines that are interconnected. The system would be replaced with 6" plastic pipes that would provide individual service for each housing unit. Mrs. Kathleen Catlin suggested to Mr. Aden that the residents along Park Avenue who would be affected by the watermain replacement be given advance notice when they would be working on this project so that they would be able to make their arrangements for water supply. Dr. LeRoy Affolter was concerned about who was going to pay for the replacement of a watermain from the residents to the new water line, when the project work was going to be done, and how the old watermain was going to be removed on Jean Avenue? Mr. Aden informed Dr. Affolter that any improvements or replacements of watermain from the residence to the main line is to be paid by the property owner, that the project would be worked on in the late summer and that he did not know at this time how the old watermain would be removed. Dr. LeRoy Affolter also suggested that since they are working on the watermain project in the area of Jean

REGULAR MEETING - APRIL 7, 1980 (CONT'D.)

Avenue why not work on the sanitary sewer at the same time? This public hearing also included the improvements of curb & gutter, street grading, gravel base & bituminous surfacing along Rainbow Drive, Madrid Road, and Legion Road. Ms. Mary Ann Bursack raised the question at this time, what was going to be done with the transport trucks that were using Legion Road from Hwy. 19 to Hwy. 68? It was suggested that road postings be posted along this road and that they be enforced. Mr. Aden informed the Council that East Lyon Street could possibly be included in the Municipal State Aid Program which would provide for a wider road and a thicker bed. He also informed the Council and concerned citizens that it is not certain whether the City will be able to proceed with all of the projects. It depends on current legislation in regard to the interest that bonds may be sold at. Mr. Aden also informed the council and concerned citizens there would be an assessment hearing in approximately 6 weeks. These assessments would be based on this years bid costs and would give the residents being affected by the improvement projects an opportunity to find out what the assessments would be against their property prior to project construction. With the public hearings completed Hirmer moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 369, SECOND SERIES and that the reading of the same be waived. Resolution Number 369, Second Series is a Resolution ordering the improvement and preparation of plans and specifications for the Projects: Curb & Gutter, (Project No. CG 1980A); Street Grading and Gravel Base, (Project No. SG-GB 1980A); Bituminous Surfacing (Project No. BS 1980A); Sanitary Sewer, (Project No. SAS 1980A); Watermain, (Project No. W 1980A); and Watermain Replacement, (Project No. W 1980A). All voted in favor of the motion.

Hirmer moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 370, SECOND SERIES and that the reading of the same be waived. Resolution Number 370, Second Series is a Resolution ordering the improvement and preparation of plans and specifications for the Projects: Curb & Gutter, (Project No. CG 1980B); and Street Grading, Gravel Base & Bituminous Surfacing, (Project No. SG-GB-BS 1980B). All voted in favor of the motion.

Hirmer moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 371, SECOND SERIES and that the reading of the same be waived. Resolution Number 371, Second Series is a Resolution approving plans and specifications and ordering advertisement for bids on Projects: Curb & Gutter, (Project No. CG 1980A); Street Grading & Gravel Base, (Project No. SG-GB 1980A); Bituminous Surfacing, (Project No. BS 1980A); Sanitary Sewer, (Project No. SAS 1980A); Watermain, (Project No. W 1980A); and Watermain Replacement, (Project No. W 1980A). The bids on these projects are to be opened at the regular Council meeting to be held on April 21, 1980 at 7:30 P.M. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 372, SECOND SERIES and that the reading of the same be waived. Resolution Number 372, Second Series is a Resolution approving plans and specifications and ordering advertisement for bids on the Projects: Curb & Gutter, (Project No. CG 1980B); and Street Grading, Gravel Base & Bituminous Surfacing, (Project No. SG-GB-BS 1980B). The bids for these projects are to be opened at the regular City Council meeting held on April 21, 1980 at 7:30 P.M. All voted in favor of the motion.

A discussion was held at this time for the lease and/or sale of two sanitary sewer lagoons to the Marshall Industries Foundation. The Public Works Committee had discussed various alternatives with the Marshall Industries Foundation in regard to these two lagoons. No proposal has been received at this time from the Marshall Industries Foundation, therefore the discussion did not proceed in regard to this matter. Mr. Henry Kyllingstad indicated to the Council that the Minnesota Ornithologist Union may be interested in leasing one of the lagoons and that the DNR is still interested in leasing one of the lagoons but does not have the available funds at this time.

Hoffman moved, Hirmer seconded, the adoption of RESOLUTION NUMBER 373, SECOND SERIES and that the reading of the same be waived. Resolution Number 373, Second Series is a Resolution establishing and providing for Personnel Policy rules and regulations for the employees of the City of Marshall, Minnesota and repealing those provisions as set forth in previous resolutions. This resolution is subject to future changes in regard to the floating holidays. All voted in favor of the motion.

The City Council was in receipt of a letter from Mr. Robert Jackson, President of Marshall Foods, Inc., asking that the City of Marshall consider selling property to Marshall Foods, Inc., at the location of the Marshall Grocery building on West College Drive. This property is a triangler plot bound by the river and railroad tracks. Hirmer moved, Ritter seconded, this matter be referred to the Public Works Committee to investigate the intended use of this area. All voted in favor of the motion.

REGULAR MEETING - APRIL 7, 1980 (CONT'D.)

The Dog Ordinance, regulations and fines was discussed at this time. Rogalski moved, Schlagel seconded, this Ordinance be referred to the Legislative and Ordinance Committee to review the fees, penalties and fines included in this Ordinance. All voted in favor of the motion.

Hirmer moved, Ritter seconded, a beer license be granted to Mr. Randolph Parde for the Four Seasons restaurant located in the Marshall Square Shopping Center at a fee of \$33.75 for the balance of the year 1980. All voted in favor of the motion.

Berre moved, Ritter seconded, Mr. Jerry Gladis be granted a Dance Permit for a dance to be held at the National Guard Armory on Friday, April 11, 1980 between the hours of 8 P.M. and 12 P.M. The fee for this permit is \$25.00. All voted in favor of the motion.

The Marshall Fire Department is requesting four changes in the specifications on the new fire truck that has been ordered. The first change is to enclose the top of the pump compartment with aluminum fourway in place of the aluminum grating at an additional cost of \$178. The second item is the addition of an extra folding step on the drivers side of the front bulk head at an additional cost of \$58. The third item is the addition of a three inch foam deluge gun with seperate 2½" foam line at a cost of \$2,095. The fourth item is to replace the radio that was bid with a different radio that can be purchased through the State of Minnesota bulk purchase contract. This proposed radio would be a 110 watt radio versus the bid radio which is a 60 watt radio. The purchase of the 110 watt radio from the State of Minnesota would result in approximately an \$800 savings. The net increase of these four change orders is \$1,531. Berre moved, Ritter seconded, the approval of these change orders. All voted in favor of the motion.

Purrington moved, Berre seconded, the introduction of an Ordinance amending Chapter 4 of the City Code pertaining to the adoption of the Housing Code. This amendment would adopt the 1979 Uniform Housing Code and would provide a revision to section 108 for a 48" egress window height rather than the 44" as presently specified in the code. By adopting this code it will provide conformity with the present building code. All voted in favor of this motion.

Hirmer moved, Hoffman seconded, the transient merchants license be granted to Huisken Meat Center, Inc., of Chandler, Minnesota. Huisken Meat Center, Inc., would be selling meat from a refrigerated truck at the Dairy Queen parking lot on East College Drive from 11 A.M. to 4 P.M. on Friday and Staunday's. All voted in favor of the motion.

Hirmer moved, Rogalski seconded, and it was unanimously approved that the following bills be authorized for payment: LIQUOR FUND, Voucher No. 25910 through 25949; REVENUE SHARING FUND, Voucher No. 163 through 165; SPECIAL ASSESSMENTS FUND, Voucher No. 46 through 47; PARKING SYSTEM FUND, Voucher No. 2286 through 2295; WASTEWATER FACILITIES FUND, Voucher No. 1679 through 1713; DEBT SERVICE, Voucher No. 1505 through 1508; GENERAL FUND, Voucher No. 67864 through 68020.

Ritter moved, Berre seconded, Kay Marie Nauman be hired as a Police Dispatcher for the Marshall Police Department at a rate of \$665 per month effective April 1, 1980. All voted in favor of the motion.

The following building permits and mobile home permits previously approved by the City Engineer were confirmed:

Gara Swenson, Marshall
210 South 1st St.
Blakes Addition, Block 6, Lot 12
Code updating project, \$6,500

R. J. Woitalewicz, Marshall
1101 East College Drive
Section 3, Part of NW¼
repair exterior wall, \$5,000

David Horstmann, Marshall
1213 West Main Street
Section 5, Part of NE¼
Bike shop building
\$15,000

Thompson Realty, Marshall
500 Elm Street
Fre-Mar Addition, Block 2, Lot 1
Dwelling, \$38,740

John Arneson, Marshall
504 Lincoln Avenue
VanUden 2nd Addition, Block 3,
Lot 2, Panel & put in ceiling
in rec. & den rooms in basement
\$1,000

Northwestern Bell Telephone, Marshall
1603 North Superior Road
Industrial Park #1, Block 3, Lot 2
temporary construction office trailer
\$0

REGULAR MEETING - APRIL 7, 1980 (CONT'D.)

Trollwork Construction, Marshall
311 South 1st St.
DeSchepper First Addition,
Block 1, Lot 6, Remodeling front
and back steps, entry, roof repair
\$2,800

Steven D. Juhl, Marshall
151 Lilac Drive
Village Park
Utility Shed, \$230

Hisken Construction, Marshall
903 Elaine Avenue
Westmar Lots, Block 1, Lot 9
construct attached garage and
remodeling in basement
\$15,000

Judy Petsche, Marshall
1240 Winchester Avenue
Camelot Square
construction of a deck
\$600

Charles Craig, Marshall
1234 Winchester Avenue
Camelot Square
move entry onto lot & owner
will attach to mobile home,
plus build utility shed
\$900

True Value Home Center, Marshall
Corner Lot (address will be assigned)
McFarland Second Addition, Block 2,
Lot 7, Dwelling, \$35,000

Henry Deike, Marshall
306 North Legion Field Road (107)
Hillside View Addition, Lot 4
demolition of garage, \$0

Henry Deike, Marshall
306 North Legion Field Road (107)
Hillside View Addition, Lot 4
remodel house, \$10,000

Robert L. Carr Co., Marshall
400 West Main
Original Plat, Block 8, Lot 19-24
Offices - second story addition
\$223,000

J. B. Building Services, Marshall
230 West Main Street
Original Plat, Block 10, Lot 11 & 12
Entry door, \$300

Bladholm & Hess, Marshall
903 North 7th Street
Section 3, part of SW $\frac{1}{4}$
Equipment building, \$21,140

Robert Grupe, Marshall
401 Country Club Drive
Section 9, Part of NW $\frac{1}{4}$
add 8' addition to front of building
\$1,800

MOBILE HOME PERMIT

V. P. & C. Partnership, Marshall
330 Timberlane
Village Park
Install mobile home, \$25.00

Mr. Robert Hirmer brought to the Councils attention a pond in the vicinity of North 7th Street which occasionally has a build up of water in it. Hirmer moved, Ritter seconded, the adoption of RESOLUTION NUMBER 374, SECOND SERIES and that the reading of the same be waived. Resolution Number 374, Second Series is a Resolution ordering the preparation of an Engineer's feasibility report on the improvement of a storm sewer system for the pond in the area of North 7th Street. All voted in favor of the motion.

Mr. Garry G. Evans co-owner of Diversified Marketing from Twin Falls, Idaho was in attendance at the meeting and requested a transient merchants license be granted to him. This transient merchants permit would be for a traffic building program for the area merchants in the City of Marshall. With this program merchants would agree to give away a certain gift or service to create traffic into their business. Once these gifts have been accumulated gift books would be sold to area residents. Purrington moved, the permit be granted to Mr. Garry Evans. The Mayor called this motion out of order, therefore there was no second at this time. Hoffman moved, Ritter seconded, the granting of a transient merchants permit to Mr. Garry Evans of Diversified Marketing be added to the agenda at this time. All voted in favor of the motion. Purrington moved, Ritter seconded a transient merchants permit be granted to Mr. Garry Evans of Diversified Marketing of Twin Falls, Idaho provided that he meet the requirements. All voted in favor of the motion, except Hirmer and Schlagel who voted no.

Mr. Jim Heller, City Administrator, discussed with the Council at this time a statement he had received from Mr. Howard Hoy for a visit to Marshall on March 10, 1980. Mr. Heller was requested by the Council to receive from Mr. Howard Hoy a letter stating the purpose and who requested him to come to Marshall on March 10, 1980.

REGULAR MEETING - APRIL 7, 1980 (CONT'D.)

Upon motion by Schlagel, seconded by Ritter, the meeting was adjourned. All voted in favor of the motion.

Robert J. Schlagel
Mayor

ATTEST: *Thomas M. Meulebroeck*
City Clerk

REGULAR MEETING - APRIL 21, 1980

The regular meeting of the Common Council of the City of Marshall was held on April 21, 1980. The meeting was called to order by Mayor Schlagel at 7:30 P.M. In addition to the mayor the following members were present: Purrington, Rogalski, Ritter, Berre and Hirmer. Absent: Hoffman.

Rogalski moved, Berre seconded, the approval of the minutes of the regular meeting of the common council held on April 7, 1980 as filed with each member and that the reading of the minutes be waived. All voted in favor of the motion.

Be it noted the arrival of Councilperson Hoffman.

At this time two bids were received, opened and read for the removal of the Marshall Municipal Airport House. The first bid received was from Dulas Const., at a cost to the City of Marshall of \$1,000. The second bid received was from Joe Blanchette for a payment to the City of \$250. Schlagel moved, Ritter seconded, the proper City Officials enter into a contract with Joe Blanchette for the removal of the Marshall Municipal Airport House upon receipt of the \$250 and execution of the contract. All voted aye.

Bids were received at this time for the 1980 Public Improvement Projects. The first series of bids received, opened and read were for the curb & gutter projects no. CG 1980 A and CG 1980B. The bids received were from Buchholtz Construction, Marshall, Minnesota in the amount of \$48,298.90 and from Dakota Contracting from Sioux Falls, South Dakota in the amount of \$48,012.70.

The second series of bids received, opened and read were for street grading, gravel base and bituminous surfacing, projects no. SG-GB 1980A, SG-GB-BS 1980B, and BS 1980A. There was one bid received for this project from McLaughlin and Schulz, Inc., of Marshall, Minnesota in the amount of \$67,918.86.

The final series of bids received, opened and read for the 1980 Public Improvement Projects was for the sanitary sewer and watermain, projects no. SAS 1980A, and W 1980A. The two bids received were from Don Bartz, Excavating, Ivanhoe, Minnesota in the amount of \$101,660.75 and the second bid received was from Schield Construction, Worthington, Minnesota in the amount of \$104,964.46. These bids will be held for approximately 60 days to allow for an assessment hearing and to allow for 30 days after the assessment hearing for any appeals. It is the intent to award these contracts on or about June 19, 1980.

Hirmer moved, Ritter seconded, the City of Marshall enter into a 10 year lease sale option agreement with the Marshall industries Foundation to purchase the two lagoons No. 2 and 3 at a cost of \$1.00 per year and that a fair market value be determined by the City Assessor with an escalating clause in it for the future sale of the property. With this agreement the Marshall Industries Foundation must maintain the property at their own expense; will receive crop income, if any; pay real estate taxes, if there are any; and either party may terminate this option at any time on 90 days notice to the other party while allowing them time to have the crop removed or payment of crop damages if any. This agreement will contain special provisions providing for the cost of any assessments incurred in the development of the property. All voted in favor of the motion.

Purrington moved, Hirmer seconded, the adoption of ORDINANCE NUMBER 70, SECOND SERIES and that the reading of the same be waived. Ordinance No. 70, Second Series is an Ordinance amending Chapter 4, Section 4.50 pertaining to the Housing Code Adoption. All voted in favor of the motion.

REGULAR MEETING - APRIL 21, 1980 (CONT'D.)

Upon recommendation of the Planning Commission, Hirmer moved, Rogalski seconded, that Eugene Pequin be granted a conditional use permit for a single family residence in a I-2 District at 308 Rainbow Drive. All voted in favor of the motion.

Upon recommendation of the Planning Commission, Berre moved, Schlagel seconded, the introduction of an Ordinance rezoning property from R-2 to B-1 at 615 West Main Street. The introduction of this Ordinance was upon the request of Mr. Burton Coonradt to move his Foster Adjustment Service Office to this location. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Schlagel moved, Ritter seconded, a home occupation conditional use permit be granted to Mr. William Cain at 600 Donita Avenue. This permit allows Mr. Cain to operate a small retail business consisting of the sale of birds and tropical fish and related supplies. This permit is to be reviewed at the end of one year. All voted in favor of the motion, except Rogalski who voted no.

Mr. Robert Emanuelson of Emanuelson-Podas, Inc., Consulting Engineers, was in attendance at the meeting to discuss the change orders with the Council for the contract with Bisbee Plumbing & Heating for the remodeling work on the heating and air conditioning systems in the Municipal Building and Library. The change orders he discussed with the council were as follows: M-4 for a relief damper on the first floor of the library at a cost of \$1,408.13; M-5 a relief damper on the second floor of the library for a cost of \$964.01; M-6 a relief damper on the second floor in the municipal building at a cost of \$1,765.02; M-7 a unit heater for the vestibule at the library for a cost of \$2,384.90; M-8 a new defuser for the old jail at a cost of \$100.89; M-9 install gauge glass on existing condensate boiler feed pump tank at a cost of \$100.00. Hirmer moved, Purrington seconded, the change orders M-4, M-5, M-6, M-7, M-8, and M-9 in the amount of \$6,722.95 be approved. Rogalski moved, Hoffman seconded, the motion be amended to eliminate change order M-7 in the amount of \$2,384.90 and to approve only change orders M-4, M-5, M-6, M-8 and M-9 in the amount of \$4,338.05. Change order M-7 was eliminated to further investigate the possibility of double glazing and to investigate alternate heating equipment for the vestibule area of the Marshall-Lyon County Library. All voted in favor of the amendment, except Hirmer. All voted in favor of the motion as amended, except Hirmer.

At this time two change orders were received for the energy conservation projects for the Municipal and Library buildings. The first change order G-1 was a deduct in the amount of \$324.50 for the labor and materials required to shim the base heating units on the first and second floors of the library; the second change order G-2 was a deduct for \$585.00 for the deletion of the installation, thin coat plaster system finishing and the related work of the west walls of room 110 on the first floor of the library. Hirmer moved, Purrington seconded, the change orders G-1 and G-2 be approved. All voted in favor of the motion.

Purrington moved, Hirmer seconded, the renewal of the transient merchants license to Jones & Presnell Studios, Inc., of Charlotte, NC be approved. All voted in favor of the motion, except Schlagel who voted no.

Hirmer moved, Ritter seconded, May 5, 1980 be the date set for the public hearing to vacate a 5 foot utility easement adjacent to the Burlington Northern Railroad across the McLaughlin and Schulz property. This easement was granted in the 1950's for the purpose of a power line. Mr. Al Rome, Utility Superintendent, has no objections to the vacating of this easement. All voted in favor of the motion.

Hirmer moved, Berre seconded, the adoption of RESOLUTION NO. 375, SECOND SERIES and that the reading of the same be waived. Resolution No. 375, Second Series is a Resolution declaring the cost to be assessed and calling for an assessment hearing for the 1980 Public Improvement Projects. The public hearing was set for May 19, 1980. After this public hearing on May 19, 1980 the affected property owners have 30 days to appeal the assessments. After this 30 days the bids will be awarded and the bond sale will take place. All voted in favor of the motion.

Members of the Marshall Volunteer Fire Department Relief Association were in attendance at the meeting to discuss with the council the revisions in the by laws of the association. The revisions in the by laws would include changes in the provision of benefits in the case of illness, injury, permanent disability as well as changes in the death benefits and pension provisions. The annual benefits in the past had been \$600 per year of service and they are now requesting it to be increased to \$1,400 per year with no maximum ceiling. It is also their

REGULAR MEETING - APRIL 21, 1980 (CONT'D.)

request that these numbers be reviewed annually and the benefits be adjusted upward or downward each year accordingly. There was no action taken on these revisions at this time so that the City Attorney would have an opportunity to review them. These revisions will be discussed at the next regular meeting of the City Council to be held on May 5, 1980.

Schlagel moved, Berre seconded, the adoption of RESOLUTION NO. 376, SECOND SERIES and that the reading of the same be waived. Resolution No. 376, Second Series is a Resolution appointing members to the Charter Commission. Council member Bill Ritter is nominating Leonard DeSchepper for a 4 year term to replace Charles Lutz Jr., and Mayor Robert Schlagel is nominating (to be named) for a 4 year term to replace Patricia Reinhart. All voted in favor of the motion.

Hirmer moved, Hoffman seconded, upon the consent of the individual selected by Mayor Schlagel to serve on the Charter Commission, Mayor Schlagel shall be allowed to appoint this member to the Charter Commission. All voted in favor of the motion.

The member selected by Mayor Schlagel, when given to the City Clerk, will be included in Resolution No. 376, Second Series.

Rogalski moved, Ritter seconded, David Frey, Wastewater Treatment Plant Superintendent be allowed to use a City vehicle or be reimbursed for the use of his own vehicle if a city vehicle is not available to attend a Central States Water Pollution Control Federation Conference at Delavan, Wisconsin located between Madison and Milwaukee. This conference is scheduled for May 14 through May 16, 1980. All voted in favor of the motion.

Purrington moved, Schlagel seconded, that Cal Barnett, City Assessor, be allowed the use of a city vehicle or be reimbursed for the use of his own vehicle if a city vehicle is not available to attend a regional meeting at Rapid City, South Dakota on April 24 and April 25, 1980. All voted in favor of the motion.

Upon the recommendation of the Legislative and Ordinance Committee, Hirmer moved, Rogalski seconded, the introduction of an Ordinance to amend Section 10.11, Subdivision 8a and 8b fo the City Code pertaining to Dog regulations and licenses. This Ordinance would increase the impounding fee from \$3.00 to \$5.00 and increase per day board from \$1.50 to \$2.00 per day. It was also moved effective April 21, 1980 if a dog is impounded and is not licensed it cannot be released from the kennels on weekends. All voted in favor of the motion.

At this time a letter of resignation was received from Mr. Robert Bierscheid, Director of Parks, Recreation and Community Education. Schlagel moved, Purrington seconded, that a letter be sent from the Council accepting Mr. Bierscheid's resignation and expressing the Council's appreciation and recognition of the outstanding performance of Mr. Bierscheid and wishing him well in his new ventures. All voted in favor of the motion.

Council member Hirmer who is liason for the Hosiptal Board, raised the question why the Weiner Memorial Medical Center was assessed \$4,159.78 for the watermain replacement along Hill Street which the Weiner Memorial Medical Center is not connected to? Mr. Duane Aden, City Engineer, explained since the Weiner Memorial Medical Center is an abutting property owner along this watermain replacement they are assessed a portion for any further expansion and for fire protection.

Council member Hirmer also indicated to the Council the Ordinance and Legislative Committee had discussed trucks traveling on city streets. He indicated that there are postings and that maybe we should designate certain streets as truck routes. Mr. Duane Aden, City Engineer, indicated to the Council that he would investigate the possibility of designating certain streets as truck routes.

Hirmer moved, Berre seconded, the following bills be authorized for payment. SPECIAL ASSESSMENTS FUND, Voucher No. 48 through 49; WASTEWATER FACILITIES FUND, Voucher No. 1714 through 1736; PARKING SYSTEM FUND, Voucher No. 2296 through 2300; LIQUOR FUND, Voucher No. 25950 through 25968; REVENUE SHARING FUND, Voucher no. 166 through 168; GENERAL FUND, Voucher No. 68021 through 68128; and DEBT SERVICE FUND, Voucher No. 1509 through 1511. It was also moved that Howard L. Hoy & Associates, Inc., be paid \$29.03 for telephone calls Mr. Howard Hoy made in connection with his consulting services. All voted in favor of the motion.

REGULAR MEETING - APRIL 21, 1980 (CONT'D.)

Schlagel moved, Purrington seconded, Mr. Garry Rick be hired as Director of Public Safety at \$2,125 per month effective April 21, 1980 subject to receipt of a reference check from the Hennepin County Sheriff's Department. All voted in favor of the motion.

The following building permits previously approved by the City Engineer were confirmed:

Robert L. Carr, Co., Marshall
704 North Highway 59,
Section 33, (part of) SW $\frac{1}{4}$
Warehouse, \$7,000

Mary K. Larson, Marshall
511 West Marshall St.
Original Plat, Block 18, Lot 6
Play house, \$150

James L. Calvin, Marshall
601 Dogwood Ave.
Southview Add., Block 4, Lot 9
insulate basement walls, install
bathroom and closet, \$2,000

Doom & Cuypers, Marshall
1604 Halbur Drive,
Industrial Park #2, Block 2, Lot 7
attached addition, \$17,500

Arthur F. Blaufuss, Marshall
310 West College Drive
Auditor Plat #5, Block 5, Lot 5
and part of Lot 6, construct
office partitions, \$5,700

Geske Building, Lynd
405 South 5th St.
Lennard's Add., Block 1, Lot 3
reside house, \$3,400

Robert Grupe, Marshall
401 Country Club Drive
Section 9, Part of NW $\frac{1}{4}$
free standing sign, \$0

Joyce Schnell, Marshall
212 West Main St.
Original Plat, Block 10, Lot 16
and 17, remodeling - stairway,
partition, \$3,000

Greg Schroeder, Marshall
108 South 10th St.
Sunset View Add., Block 2, Lot 4 & 5
Attached garage, \$8,000

Donald Kor, Marshall
100 South Bruce St.
Morningside Heights Add., Block 4,
Lot 10, install gable room and roof
over patio, \$2,500

Gordon Edwards, Marshall
1003 Colombine Drive
Southview 2nd Addition, Block 3,
Lot 2, deck, \$150

Joseph Clark, Marshall
503 Dogwood Avenue
Southview Sub-division, Block 3, Lot 8
screened patio, \$1,000

LeRoy Engler, Marshall
506 Elm Street
Fre-Mar Addition, Block 2, Lot 24
double garage, \$1,800

Kenneth G. Hanson, Marshall
403 Dogwood Avenue
Southview Subdivision, Block 2, Lot 9
enclose deck, \$1,000

Robert Nuy, Marshall
111 Southview Drive
Nielsen's 7th, Block 4, Lot 3
utility shed, \$150

Harvey B. McVey, Marshall
800 Country Club Drive
Section 8, NE $\frac{1}{4}$
reside 1 wall - clubhouse
\$700

Ronald Driggs, Marshall
1307 Westwood Drive
Westwood Acres I, Block 3, Lot 12
utility shed, \$500

Maynard McConnell, Marshall
610 Kendall St.
J. D. Eastman Add., Lot 4
reside, \$500

Slagel & Wambeke, Inc., Marshall
108 Park Ave.
Liberty Park Add., Block 1,
Lot 1-3 & N $\frac{1}{2}$ of 4
screened porch, \$4,890

Slagel & Wambeke, Inc., Marshall
503 West Main St.
Original Plat, Block 6, Lot 1-4
addition, \$10,885

Royal Pahnisch, Marshall,
101 Spruce Drive
Village Park
Utility Shed, \$200

Slagel & Wambeke, Inc., Marshall
308 Carrow St.
Sunrise Park Add., Block 1, Lot 14
lower ceiling (living room, kitchen,
dining and entry), \$2,075

Elton & Vialo Corrow, Marshall
409 South 2nd St.
(Part of) Grimes Addition
unattached double garage, \$3,500

REGULAR MEETING - APRIL 21, 1980 (CONT'D.)

Hirmer moved, Rogalski seconded, the motion made to hire Mr. Garry Rick as Director of Public Safety be approved upon the receipt of a reference check from the Hennepin County Sheriff's Department be reconsidered. All voted aye.

Schlagel moved, Hoffman seconded, the motion to hire Mr. Garry Rick as Director of Public Safety be amended to delete the approval of the hiring subject to the reference check from the Hennepin County Sheriff's Department. All voted in favor of the motion.

City Attorney, Brian Murphy, was given permission to prosecute individuals who have not paid for old parking tickets.

Rogalski moved, Berre seconded, Ms. Ruth Mork, Deputy City Clerk, be allowed to attend the Leagues of Cities Convention at Duluth, June 11 through June 13, 1980. All voted in favor of the motion.

Mayor Schlagel proclaimed Saturday, April 26, 1980 as "Green Up, Clean Up Day" in Marshall, Minnesota per the Governor's request for the week of April 21, 1980 to April 26, 1980 as being clean up week in Minnesota.

Council members, Hirmer and Berre and the Ways and Means Committee agreed to meet with the downtown business representatives on May 1, 1980 in regard to the removal of the parking meters.

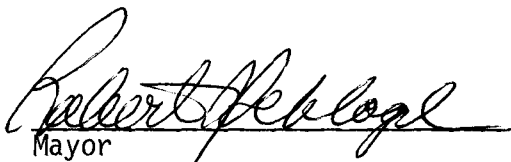
At this time the interview and selection process for the new Park & Rec Director was discussed. Berre moved, Rogalski seconded, the City Administrator, a council member, a School Board member, Superintendent Feda and the Chairman of the Park & Rec Board be the group selected to interview the applicants for the Park & Rec Director position. All voted in favor of the motion, except Hoffman.

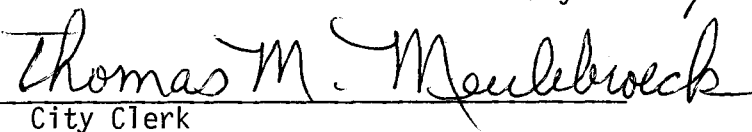
The City Administrator indicated to the Council that the insurance policies for Workmen's Comp., Property and Liability should be reviewed. The City Administrator was given permission to investigate possible help from outside to review these policies.

A discussion of the computer system for the City of Marshall was discussed at this time. The City Administrator indicated to the council that the various alternatives that have been investigated seem to have pros and cons for each. It was suggested by the Council that maybe the needs and benefits of a computer system should be more clearly defined at this time.

The Ordinance in regard to the parking of trailer homes and other types of recreational vehicles along streets was discussed at this time.

Upon motion made by Hirmer, seconded by Berre, the meeting was adjourned. All voted in favor of the motion.


Mayor

ATTEST: 
City Clerk

REGULAR MEETING - MAY 5, 1980

The regular meeting of the Common Council of the City of Marshall was held on May 5, 1980. The meeting was called to order by Mayor Schlagel at 7:30 P.M. In addition to the Mayor the following members were present: Purrington, Hoffman, Rogalski, Ritter, and Berre. Absent: Hirmer.

At this time Mayor Schlagel called to order the Board of Equalization meeting. Mr. Cal Barnett, City Assessor, reviewed with the Council the assessed valuations for 1980 payable in 1981. Mr. Barnett indicated to the Council the estimated market value increased for 1980 assessments payable in 1981 but the assessed valuation did not increase accordingly. Mr. Cal Barnett had received a letter from O.A. Rockman of 509 West Redwood questioning the increase in the market value of his property? Mr. Barnett responded to him by indicating along with the increase assessed valuations he had also done some improvements on his property to increase the market value of it. Council member Brian Hoffman, raised the question if single family residents in college towns have apartments for students does this affect the value of the property? Mr. Barnett indicated to the Council that the assessed valuation of a single family residence providing apartments for students is usually not very greatly affected unless there is a separate kitchen facility for these students. Mr. Patrick Geske, a concerned citizen had raised a question on the property he owned on Rainbow Drive. Mr. Barnett indicated to Mr. Geske he would like to set up an appointment to walk through this property to check the assessed valuations on it. Mr. Cal Barnett was assured by the City Council that the value changes, assessment changes and homestead credit would be blanket covered. Mr. Barnett was also allowed to reappraise Mr. Geske's property on Rainbow Drive.

The regular meeting of the Common Council of the City of Marshall convened at 7:48 P.M.

Rogalski moved, Schlagel seconded, the approval of the minutes of the regular meeting of the Common Council held on April 21, 1980 as corrected and as filed with each member and that the reading of the minutes be waived. All voted in favor of the motion.

Hoffman moved, Berre seconded, the introduction of an Ordinance to vacate a 5' utility easement adjacent to the Burlington Northern Railroad across the McLaughlin & Schulz property. A public hearing was set for May 5, 1980 to vacate this utility easement but, due to publication notices, code requirements were not met therefore the public hearing was rescheduled for May 19, 1980. All voted in favor of the motion.

Berre moved, Schlagel seconded, the adoption of ORDINANCE NO. 71, SECOND SERIES and that the reading of the same be waived. Ordinance No. 71, Second Series is an Ordinance amending Chapter 11 of the City Code relating to zoning. The property being rezoned is Lot 7, Block 8, Stewart & Jenkins Addition of the City of Marshall from R-2 to B-1. All voted in favor of the motion.

Rogalski moved, Berre seconded, the adoption of ORDINANCE NO. 72, SECOND SERIES and that the reading of the same be waived. Ordinance No. 72, Second Series is an Ordinance amending certain sections of the City Code Chapter 10. This Ordinance increases the impounding fee for dogs to \$5.00 and board to \$2.00 per day. All voted in favor of the motion.

Hoffman moved, Schlagel seconded, the adoption of RESOLUTION NO. 377, SECOND SERIES and that the reading of the same be waived. Resolution No. 377, Second Series is a Resolution adopting the revised by-laws of the Marshall Volunteer Fire Department Relief Association. This Resolution is adopted with the modification made by the City Attorney that a person could not receive both disability and death benefits. All voted in favor of the motion.

At this time Mayor Schlagel introduced the new Director of Public Safety, Mr. Garry Rick and his wife Irma.

Berre moved, Ritter seconded, a 3 month temporary non-intoxicating beer license be granted to the Marshall Jaycees for a softball tournament to be held at the softball complex on June 13, 14, 15, 1980. All voted in favor of the motion.

Hoffman moved, Berre seconded, a 3 month temporary non-intoxicating beer license be granted to the Marshall Baseball Association to allow the sale of beer at the Legion Field during the baseball games. This license is for the period of May 25, 1980 through August 25, 1980. All voted in favor of the motion.

REGULAR MEETING - MAY 5, 1980 (CONT'D.)

Purrington moved, Ritter seconded, a dance permit be granted to Mr. Pat Egan for a dance at the Marshall National Guard Armory on May 9, 1980 from 8 P.M. to 12 P.M. All voted in favor of the motion.

At this time a discussion was held on the reconsideration of the selection procedure for the position of Parks, Recreation and Community Education Director. Ms. Bonnie Babock, Chairman of the Park, Recreation and Community Education Board, and other members of the board were in attendance at the meeting and indicated to the Council under the Joint Powers Agreement the Park, Recreation, & Community Education Board are to review the applicants and make the recommendations to the City Council. Ritter moved, Schlagel seconded, the interviewing process established by the City Council on April 21, 1980 for the Park, Recreation and Community Education Director be reconsidered. After some discussion on this matter, Purrington called for the question. All voted in favor of the motion, except Berre.

Hoffman moved, Schlagel seconded, the interviewing for the Park, Recreation and Community Education Director be done according to the Joint Powers Agreement and with the City Administrator, Superintendent John Feda, and the Park, Recreation and Community Education Board which includes a Council member and a school board member, would review the applicants and recommend the top applicants by their rank to the Council for interviews. All voted in favor of the motion, except Berre.

Ms. Shirley Egan, Chairman of the Human Rights Commission, was in attendance at the meeting to discuss with the Council the possibility of the City of Marshall and the Human Rights Commission entering into a no fault grievance agreement with the State Department of Human Rights. There was no action taken on this agreement at this time to give the City Attorney and the City Administrator the opportunity to review it and it would be reconsidered at the next regular meeting on May 19, 1980.

Mr. Burdell Wessels, President of Corporate Risk Managers, Inc., of Eden Prairie, was in attendance at the meeting to discuss with the Council the reviewing of the Municipal Property and Liability Insurance coverages for the City of Marshall. Mr. Burdell Wessels would review the current insurance policy's that we have, make recommendations, and put together specifications for further insurance requirements by the City. Mr. Millard Ehlers from Ehlers Insurance Company indicated to the Council that he thought the City was keeping abreast of their coverage and was doing an adequate job of reviewing the policy's that are currently in effect for the City of Marshall.

Rogalski moved, Hoffman seconded, reference checks be done on Mr. Burdell Wessels by the City Administrator and that the City Attorney investigate the cost effectiveness and language of the contract. All voted in favor of the motion.

Hoffman moved, Berre seconded, a non-intoxicating liquor license be granted to the Marshall National Guard NCO Club. Upon receipt by the City Clerk's Office of a certification of the proper insurance coverage and a list of the hours this license will be used the license will be granted. Any time the hours are to be changed the City Clerk's Office is to be notified. All voted aye.

A discussion was held at this time in regard to the fencing of certain portions of bike trails. There have been some complaints received in regard to the bike trail in the area of East Lyon Street and East Redwood Street South of Holy Redeemer School. It was the general consensus of the Council that if they fence this trail they would be setting a precedent for all other areas involving trails and adjacent property owners should expect to install whatever fencing they would deem appropriate.

At this time a discussion was held on the introduction of an Ordinance to vacate a walkway easement in Nuese Second Addition between Lots 3 & 4 of Block 2. This walkway easement was incorporated as part of the original plat of Nuese Second Addition. It was the general consensus of the Council to maintain this walkway and that it be hard surfaced to prevent any developments along this walkway easement.

Berre moved, Ritter seconded, the adoption of RESOLUTION NUMBER 378, SECOND SERIES and that the reading of the same be waived. Resolution Number 378, Second Series is a Resolution approving the final plat for Krueger Addition. The main drive in this addition connecting Birch Street and Bruce Street is to be called Willow Lane. All voted in favor of the motion, except Rogalski who voted no.

REGULAR MEETING - MAY 5, 1980 (CONT'D.)

At this time a discussion was held in regard to the City of Marshall applying to the State Planning Agency for a land use planning grant. The Joint City Council/Planning Commission Committee had no recommendation at this time, therefore this item will be considered at the next regular meeting held on May 19, 1980.

Ritter moved, Schlagel seconded, the proper City Officials be allowed to enter into a farm lease agreement with Mr. Peter Geurts to farm approximately 25 acres of the Diversion Channel right-of-way that is immediately adjacent to the Airport at \$30.00 per acre. This lease agreement will be for four years to coincide with the Airport Lease Agreement that Mr. Peter Geurts has with the City of Marshall. All voted in favor of the motion.

Three quotations had been received for a new gas furnace at the Marshall Municipal Airport Administrative Building. Purrington moved, Hoffman seconded, a supplemental appropriation of \$640.00 be made from contingency to the Airport for the installation of a new gas furnace. All voted in favor of the motion.

Upon recommendation of the Personnel Committee, Hoffman moved, Purrington seconded, the employees of the City of Marshall will not be receiving Columbus Day and the Friday after Thanksgiving as holidays and the ½ day for Good Friday will no longer be considered a holiday. Under Minnesota State Statutes the employees are given 2 additional mandatory holidays, Presidents Day and Veterans Day, and will be given 2 floating holidays instead of the 3 current floating holidays. This change in the Personnel Policy is effective January 1, 1980. All voted in favor of the motion.

Upon recommendation of the Personnel Committee, Hoffman moved, Berre seconded, a uniform allowance for certain City employees be referred to the Ways & Means Committee for recommendation at budget time. All voted in favor of the motion.

Hoffman moved, Berre seconded, Mr. Doug Goodmund be granted a temporary salary increase of \$363.00 per month effective May 5, 1980 for assuming certain additional responsibilities during the interm period there is not a Director of Parks, Recreation and Community Education. All voted in favor of the motion.

Ritter moved, Berre seconded, and it was unanimously approved that the following bills be authorized for payment: GENERAL FUND, Voucher No. 68129 through 68239; WASTEWATER FACILITIES FUND, Voucher No. 1737 through 1758; REVENUE SHARING FUND, Voucher No. 169 through 171; PARKING SYSTEM FUND, Voucher No. 2301 through 2306; LIQUOR FUND, Voucher No. 25969 through 25996; and SPECIAL ASSESSMENTS FUND, Voucher No. 50 through 53.

The following building permits and mobile home permits previously approved by the City Engineer were confirmed:

Good Sheperd Lutheran Church,
1600 East College Dr., Marshall
Section 2, Part of SW¼
free standing sign, \$0

Babcock Construction, Marshall
115 George St.
Nielsen's 4th Add., Block 2, Lot 2
reside residence, \$2,200

Mr. Ray Henle, Marshall
204 West Main St.
Original Plat, Block 10, Lot 19
revise building front, \$1,300

Geske Construction, Lynd
312 North Whitney
Schultz Add., Block 3, Lot 19
reside residence, \$2,200

Sharon Berre, Marshall
312 South 5th St.
Section 5, Part of SE¼
remodel bathroom, \$4,500

Alfred Lanoue, Marshall
105 "G" Street
DeAustin Add., Block 1, Lot 2
deck, \$400

Joseph Blanchette, Marshall
Highway 19 West
Section 6, Part of SE¼
move out dwelling, \$0

SWesta Builders, Marshall
603 West College Drive
Country Club Add., Outlot 4, Lot 10
addition, \$19,372

Thompson Realty, Marshall
901 Elaine Avenue
Westmar Lots, Block 1, Lot 8
single family dwelling
\$40,677

Bill Curry, Marshall
422 North 5th St.
Stewart & Jenkins Add., Block 1,
Lot: Part of 13
utility shed, \$50

REGULAR MEETING - MAY 5, 1980 (CONT'D.)

Jim Muchlinski, Marshall
721 Marquerite St.
Eatros Place Add., Block 2, Lot 2
Deck, \$950

Earl Wiering, Marshall
103 Minnesota St.
Morningside Heights Add., Block 4, Lot 2
Dormer and window, \$3,000

Slagel & Wambeke, Inc., Marshall
301 "G" Street
Nuese Second Add., Block 2, Lot 7
dwelling, \$60,000.00

Jerry Martinek,
201 Lucille St.
Jansen's Sub-Div. of Outlot 6 of
Nielsen's Add., Block 2, Lot 6
deck, \$750

Perry Banks, Marshall
111 East Redwood St.
Section 4, Part of NE¼
move in garage, \$2,000

A & D Midwestern Builders Inc., Marshall
707 Elaine Ave., Westmar Lots, Block 1,
Lot 3, dwelling, \$38,000

Mobile Home Permits

Terry Elsmore
1221 Roundtable
Camelot Square
install mobile home

The City Administrator was directed to gather information for a retreat to discuss long range plans and goals.

The proper City Officials were directed to investigate the debris in the area of Legion Road and Rainbow Drive.

The City Engineer was directed to see what he could do about controlling the dust on South 4th Street.

Berre moved, Schlagel seconded, the Human Rights Commission along with the City Attorney review and update the City of Marshall's affirmative action plan. All voted in favor of the motion.

Mr. Duane Aden, City Engineer, informed the Council that Leonard DeVos has agreed to farm Pond No. 1 at the Marshall Lagoons.

Hoffman moved, Berre seconded, the adoption of a Resolution be added to the agenda in which Mr. Garry Rick would be included under the Police and Fire Fighters section of PERA and given the power of arrest. All voted aye.

Schlagel moved, Ritter seconded, and it was approved unanimously the adoption of the following Resolution. BE IT RESOLVED that Garry Rick will be dully appointed, qualified, and acting full time police officer for the City of Marshall, Minnesota possessing power of arrest by warrant and otherwise, and other authority generally conferred upon and possessed by Municipal Police Officers in Minnesota with the specific duty of enforcing the laws of the State of Minnesota and the Ordinances of the City of Marshall and apprehending violators thereof, and engaged in the hazards of protecting the safety and property of others.

Mayor Schlagel's nomination to the Charter Commission for the City of Marshall is Georgia Brewers effective April 21, 1980.

Upon motion made by Schlagel, seconded by Ritter, the meeting was adjourned. All voted aye.

Attest:

Thomas M. Muehlbreck
City Clerk

Robert Schlagel
Mayor

REGULAR MEETING - MAY 19, 1980

The regular meeting of the Common Council of the City of Marshall was held on May 19, 1980. The meeting was called to order by Mayor Schlage1 at 7:30 P.M. In addition to the Mayor the following members were present: Purrington, Hoffman, Rogalski, Ritter, Berre and Hirmer. Absent: none.

Hoffman moved, Ritter seconded, the approval of the minutes of the Board of Adjustment Meeting held on May 5, 1980 as filed with each member and that the reading of the minutes be waived. All voted in favor of the motion.

Hoffman moved, Berre seconded, the approval of the minutes of the regular meeting of the Common Council held on May 5, 1980 as filed with each member and that the reading of the minutes be waived. All voted in favor of the motion.

Schlage1 moved, Rogalski seconded, the adoption of ORDINANCE NUMBER 73, SECOND SERIES and that the reading of the same be waived. Ordinance Number 73, Second Series is an Ordinance to vacate a 5 foot utility easement adjacent to the Burlington Northern Railroad across from McLaughlin & Schulz property. All voted in favor of the motion.

A public hearing was held for the 1980 Improvement Projects and the adopting of the assessment roll at this time. The City Engineer explained each project and asked if there were any objections, adjustments or revisions. William Kaczrowski, Rodney Bennett, Roy Barrett and Phillip LaBreque indicated to the Council members that they along with the other property owners along East Lyon Street were in objection to the curb & gutter and street grading and gravel base projects for East Lyon Street from Bruce Street to the East Edge of Parkside Addition. These property owners objected these improvements due to the cost of the improvements, that there would be no development in this area, there would be no benefit to these parcels of property from these improvements and that if this street was improved that it would just be used as a throughfare for the Marshall Square. Mr. Roy Barrett raised the question as to how the property owners along East Lyon Street would be paying for the bituminous surfacing since this street is used as a throughfare for the Marshall Square? Mr. Aden indicated to Mr. Barrett along with the other members of the Council that the property owners along this street would be assessed just like any other property owners except that any additional thickness for bituminous surfacing would be either paid for by the State or the City of Marshall. Mr. William Kaczrowski questioned the watermain assessment for Lot 14, Block 3, Capital Hill Addition? He indicated to the Council that he paid for this assessment when he had purchased the property. Mr. Aden indicated to Mr. Kaczrowski they would investigate this matter. A letter was received from the Marshall Municipal Utilities indicating that the water service was tapped into said lot in 1971 and that the developer had paid any water assessments against the property at that time and that the 1980 Watermain Assessment on Lyon Street should not be applied against this property. Dr. LeRoy Affolter was concerned about the watermain replacement from East Redwood Street to Whitney Street, the cost of the project, what was going to be done with the existing watermain, and the possibility of replacing the storm sewer in this area at the same time? Mr. Aden indicated to Dr. Affolter that the cost of the watermain replacement would be \$566 per parcel and that the existing watermain which is behind the curbs would be abandoned and the new watermain would be put in the street. Mr. Aden also indicated that he would take a look at the current storm sewer system and see what could be done with it and indicated to Mr. Affolter that this storm sewer main is smaller than the normal storm sewer main and that is the reason why the water does not disappear as fast as it does in some other areas. Mr. Arnold Luknic was concerned about the watermain replacement in the area of Peltier Street, Simmons Street and Glenn Street and the length of time that the assessment for this watermain replacement would have to be paid since it would be a financial burden to most people in this area and he was also concerned as to when the streets in this area would be paved? Mr. Aden indicated to Mr. Luknic that the cost for this watermain replacement would be \$566 per parcel and that if the residents wanted the streets in the area paved they could petition for the improvement or the Council could initiate action on this project. With the objections received in regard to Curb & Gutter, Project No. CG 1980A along East Lyon Street, Hoffman moved, Schlage1 seconded, the adoption of RESOLUTION NUMBER 379, SECOND SERIES and that the reading of the same be waived. Resolution Number 379, Second Series is a Resolution approving the assessment roll for Project No. CG 1980A deleting East Lyon Street from Bruce Street to the East Edge of Parkside Addition and setting the interest rate at 9% with payment over a period of 8 years. All voted aye.

The next public hearing was for the Street Grading & Gravel Base Projects No. SAS-GB 1980A. With the objections received in regard to the street grading and gravel base projects, Hoffman moved, Ritter seconded, the adoption of RESOLUTION

REGULAR MEETING - MAY 19, 1980 (CONT'D.)

NUMBER 380, SECOND SERIES and that the reading of the same be waived. Resolution Number 380, Second Series is a Resolution approving the assessment roll for Project No. SG-GB 1980A deleting East Lyon Street from Bruce Street to East Edge of Parkside Addition and setting the interest rate at 9% with payment over a period of 8 years. All voted in favor of the motion, except Hirmer who voted no.

The next public hearing was on the Bituminous Surfacing Project No. BS 1980A. With no adjustments or corrections, Hoffman moved, Berre seconded, the adoption of RESOLUTION NUMBER 381, SECOND SERIES and that the reading of the same be waived. Resolution Number 381, Second Series is a Resolution approving the assessment roll for Project No. BS 1980A and setting the interest rate at 9% with payment over a period of 8 years. All voted in favor of the motion, except Hirmer who voted no.

The next public hearing was on the Curb & Gutter Project No. CG 1980B. With no adjustments or corrections, Purrington moved, Rogalski seconded, the adoption of RESOLUTION NUMBER 382, SECOND SERIES and that the reading of the same be waived. Resolution Number 382, Second Series is a Resolution approving the assessment roll for Project No. CG 1980B and setting the interest rate at 9% with payment over a period of 10 years. All voted in favor of the motion.

The next public hearing was on the Street Grading, Gravel Base and Bituminous Surfacing Project No. SG-GB-BS 1980B. With no adjustments or corrections, Purrington moved, Ritter seconded, the adoption of RESOLUTION NUMBER 383, SECOND SERIES and that the reading of the same be waived. Resolution Number 383, Second Series is a Resolution approving the assessment roll for Project No. SG-GB-BS 1980B and setting the interest rate at 9% with payment over a period of 10 years. All voted in favor of the motion.

The final public hearing was on the Sanitary Sewer and Watermain Project No. SAS-W 1980A. With no adjustments or corrections, Rogalski moved, Berre seconded, the adoption of RESOLUTION NUMBER 384, SECOND SERIES and that the reading of the same be waived. Resolution Number 384, Second Series is a Resolution approving the assessment roll for Project No. SAS-W 1980A and setting the interest rate at 9% with payment over a period of 8 years. Purrington moved, Hirmer seconded, the motion be amended so that all the improvements under the Sanitary Sewer - Watermain 1980 Improvement Projects be approved setting the interest rate at 9% with payment over a period of 8 years except for the watermain replacement project in the area of Peltier, Glenn and Simmons Street setting the interest rate at 9% with payment over a period of 10 years. Purrington and Hirmer voted in favor of the motion as amended, Schlagel, Hoffman, Rogalski, Ritter and Berre voted no. All voted in favor of the original motion except Hirmer who voted no.

Hoffman moved, Hirmer seconded, that the property owners who are being affected by the 1980 Improvement Projects have until September 1, 1980 to pay their assessments without interest. Beginning September 1, 1980 interest would be accrued at the rate established in the foregoing resolutions on all 1980 Improvement Project Assessments that have not been paid until payment is made. All voted in favor of the motion.

Mayor Schlagel moved to adopt RESOLUTION NUMBER 385, SECOND SERIES providing for the sale of \$240,000 General Obligation Improvement Bonds of 1980 and to set June 19, 1980 at 7:30 P.M. as the date for the sale of the bonds. The motion for the date for the sale of bonds and for the adoption of the foregoing resolution was seconded by Councilperson Rogalski. All voted in favor of the motion.

Upon approval by the City Attorney and the City Administrator, Schlagel moved, Berre seconded, the proper City Officials be authorized to enter into a no-fault grievance agreement with the State Department of Human Rights. All voted in favor of the motion.

At the regular Council meeting held on May 5, 1980 the City Administrator, the City Attorney were directed to contact clients in regard to their experience with Corporate Risk Managers, Inc. In response to the contacts made by the City Administrator and City Attorney their reports were positive either in regards to cost and/or service, therefore Purrington moved, Schlagel seconded, the proper City Officials be allowed to enter into a 1 year contract with Corporate Risk Managers, Inc., for insurance services for the City of Marshall at a cost of \$4,000. All voted in favor of the motion.

At this time a discussion was held on the proposed dust coating program for 1980. Schlagel moved, Berre seconded, to approve the dust coating program as presented but to do only those streets that are in need and to include in the program the alley between Walnut and High Street. All voted in favor of the motion.

REGULAR MEETING - MAY 19, 1980 (CONT'D.)

A discussion was held on the change order M-10 in the amount of \$2,011.34 on the contract with Bisbee Plumbing & Heating for the installation of a heater next to the entrance way in the library. Mr. Robert Emanuelson also suggested change order G-3 in the amount of \$1,875 be approved for the installation of insulated glass in the entry doors at the library, if change order M-10 was accepted although he still recommended the first choice of change order M-7. Rogalski moved, Hirmer seconded, these change orders be rejected until a solution has been reached on how to keep the doors closed in the vestibule at the library.. All voted in favor of the motion.

Hirmer moved, Ritter seconded, the approval of change order G-3 in the amount of \$3,249.00. This change order is for the removal of two existing overhead doors and the related equipment in the rear of the municipal building. All voted in favor of the motion except Hoffman and Berre who voted no.

Upon recommendation of the Planning Commission, Berre moved, Schlagel seconded, a variance adjustment permit be granted to Mr. John Volker of 400 North Minnesota Street. This variance permit allows Mr. Volker to construct a double wide attached garage which would result in a rear yard of less than the required 25% of the lot depth. This variance would be for 1 foot which would have the garage located 28½' 3" from the rear property line rather than the required 29'3". All voted in favor of the motion.

Upon recommendation of the Planning Commission, Hirmer moved, Rogalski seconded, the conditional use permit for Mr. Jim Dwire be denied for a 2 family dwelling at 802 Cheryl Avenue. It was also agreed that the Legislation and Ordinance Committee would meet with members from the Planning Commission to further define such items as an apartment, a duplex, boarding rooms, efficiency units, family units and etc. All voted in favor of the motion.

Rogalski moved, Berre seconded, BE IT RESOLVED that the proper City Officials be authorized to submit an application to the State Department of Transportation for a Transportation Grant for the year beginning September 1, 1980 in the amount of \$20,000. All voted in favor of the motion.

Rogalski moved, Hirmer seconded, the taxi service be allowed to begin operation at 7:00 A.M. Monday through Friday effective June 1, 1980. All voted in favor of the motion.

Upon recommendation of the Joint City Council/Planning Commission Committee, Purrington moved, Hirmer seconded, the proper City Officials be authorized to submit an application to the State Planning Agency for a Land Use Planning Grant and the Region Eight Development Commission be authorized to begin work on the project. All voted in favor of the motion.

Purrington moved, Ritter seconded, the proper City Officials be allowed to advertise for bids for bituminous surfacing for the bike trail project. These bids are to be received, opened, and read on June 16, 1980 at 7:30 P.M. This bike trail is along the Southerly side of Country Club Drive from Cheryl Street to the intersection of County Road No. 7 near Hwy. 23 and then on each side of County Road No. 7 from Country Club Drive to the Redwood River. The estimated cost of this project is approximately \$42,000 of which 2/3 would be paid for under a State Grant and the other 1/3 through local funding and in-kind service. All voted in favor of the motion.

Berre moved, Hoffman seconded, the acknowledgement of the receipt of a petition for bituminous surfacing on North High Street from Sixth Street to Elm Street and that this improvement be included in the 1981 improvement projects. Rogalski and Berre voted in favor of the motion, Purrington, Hoffman, Ritter, Hirmer and Schlagel voted no. The City would be responsible for ½ of the cost of this project due to the fact that the street abuts the Redwood River on the Southerly side.

Hirmer moved, Hoffman seconded, the adoption of RESOLUTION NUMBER 386 SECOND SERIES and that the reading of the same be waived. Resolution Number 386, Second Series is a Resolution receiving the petition and calling for the Engineer's Feasibility Report on the bituminous surfacing project on North High Street from Sixth Street to Elm Street. All voted in favor of the motion.

Schlagel moved, Ritter seconded, the adoption of RESOLUTION NUMBER 387, SECOND SERIES and that the reading of the same be waived. Resolution Number 387, Second Series is a Resolution authorizing the proper City Officials to enter into an agreement between the City of Marshall and the State for funds for Federal Aid Highway Improvements. All voted in favor of the motion.

REGULAR MEETING - MAY 19, 1980 (CONT'D.)

Upon recommendation of the Airport Commission, Schlagel moved, Hirmer seconded, the proper City Officials be allowed to enter into a lease agreement with Mr. Ray Johnson of Southwest Aviation to allow for the installation of jet fuel facilities. This lease would provide for a temporary location to install the tanks and pumps in the area of the present gasoline pumps at a cost of \$1.00 per year. The installation of these tanks and pumps would be no cost to the City. All voted in favor of the motion.

Hoffman moved, Hirmer seconded, to approve the security contract between the City of Marshall and Southwest State University for the year beginning July 1, 1980. The new contract would provide a 9% increase in the basic contract which would increase it to \$56,648 plus an increase for the part-time personnel of up to \$4.50 per hour and not to exceed 50 hours per year. The total cost of the new contract is \$56,873. All voted in favor of the motion.

Following discussion that Mr. Tim Oakley, Mr. Frank Scherf, Mr. Glen Kokal, and Mr. Brian DeWitt be employed as Police Officers for the City of Marshall as recommended by the Civil Service Commission and Director of Public Safety and provided that psychological examination and background investigation are successfully completed; Purrington moved, Schlagel seconded, the adoption of the following RESOLUTION: BE IT RESOLVED that Tim Oakley, Frank Scherf, Glen Kokal and Brian DeWitt will be dully appointed, qualified and acting full-time Police Officers for the City of Marshall, Minnesota possessing power of arrest by warrant and otherwise, and other authority generally conferred upon and possessed by Municipal Police Officers in Minnesota with the specific duty of enforcing the laws of the State of Minnesota and the Ordinances of the City of Marshall and apprehending violators thereof, and engaging in the hazards of protecting the safety and property of others. The effective appointment date for ~~these~~ Police Officers is June 9, 1980. All voted in favor of the motion, except Hirmer who voted no.

Hoffman moved, Hirmer seconded, the approval of the purchase of a security system at the Municipal Liquor Store at a cost of \$1,015. This is to be paid out of the Capital Reserve in the Municipal Liquor Store Fund. All voted in favor of the motion.

Hirmer moved, Ritter seconded, the proper City Officials be allowed to enter into a farm lease agreement with Mr. Leonard DeVos to farm Pond No. 1 of the Wastewater Treatment Facility for a period of 5 years at a rate of \$1.00 for the first year and at a rate to be determined for the second through the fifth year by mutual agreement depending upon his operation and his success. All voted aye.

Hirmer moved, Rogalski seconded, the approval of a supplemental appropriation of \$3,000 from contingency to the Street Department Account for the replacement of a 6" water pump. All voted in favor of the motion.

Schlagel moved, Berre seconded, that the following appointments be made to the various Boards and Commissions for terms to commence on June 1, 1980 and to expire as indicated: Planning Commission: John Roers, David Hammer and Lee Halgren for terms to expire on May 31, 1983; Hospital Board: Jim Haushauer for a term to expire on May 31, 1985; Police Commission: Bobbie Mazick for a term to expire on May 31, 1983; Utilities Commission: Gary Becker for a term to expire on May 31, 1985; Library Board: Donna Fauteck, Mary Tilleman and Laurie French for terms to expire on May 31, 1983; Human Rights Commission: Mary Ann Bursachk, Mick Joyce, Phyllis Brostrom for terms to expire on May 31, 1983; and Airport Commission: Robert Palma and Dan Vogt for terms to expire on May 31, 1983. All voted in favor of the appointments.

At this time Councilperson Dwayne Purrington indicated to the Council that he would be willing to be a nominee for the Board of Directors of the League of Minnesota Cities. The other members of the Council indicated their support for Mr. Purrington. It was the general feeling of the Council members that a letter be sent to the other Mayor's in this area of the State from Mayor Schlagel asking for their support for Mr. Purrington and having them indicate their support to the nominee committee.

Schlagel moved, Hirmer seconded, the approval of a 3 month, from June 1, 1980 through August 31, 1980, temporary non-intoxicating beer license for the Marshall Softball Association at a fee of \$25.00. All voted in favor of the motion.

Ritter moved, Schlagel seconded, the approval of a supplemental appropriation from contingency account to the Public Safety Account for the purchase of a voice activated pager at a cost of \$220. All voted in favor of the motion.

REGULAR MEETING - MAY 19, 1980 (CONT'D.)

Hirmer moved, Rogalski seconded, and it was unanimously approved that the following bills be authorized for payment: WASTEWATER FACILITIES FUND, Voucher No. 1759 through 1782; GENERAL FUND, Voucher No. 68240 through 68307; LIQUOR FUND, Voucher No. 25997 through 26017; PARKING SYSTEM FUND, Voucher No. 2307 through 2313; DEBT SERVICE FUND, Voucher No. 1512 through 1513; REVENUE SHARING FUND, Voucher No. 172 through 173; and SPECIAL ASSESSMENTS FUND, Voucher No. 54 through 55.

The following building permits previously approved by the City Engineer were confirmed:

Coleman Electric, Marshall
106C South 5th St.
Original Plat, Block 6, Lot: Part of 20
Finish 3 apartments, \$12,000

Steve Hussong, Marshall
102 Spruce Lane
Village Park
utility shed, \$160

Gary Eickhoff, Marshall
615 Kathryn Avenue
Eatros Place 3rd Add., Block 2, Lot 7
utility shed, \$225

Space Development Co., Marshall
100 Lilac Drive
Village Park
repair structure of building, \$15,000

Thomas F. Donahue, Marshall
616 Soucy Drive
Soucy Addition, Lot 22
utility shed, \$137

John Volker, Marshall
400 North Minnesota St.
Ver Marv Add., Block 3, Lot 6
double garage, \$2,550

Dulas Construction, Marshall
606 Lawrence St.
Viking Addition, Block 1, Lot 16
revise partitions, \$500

Perry Banks, Lynd
111 East Redwood Street
Section 4, Part of SE¼
move in garage, \$2,000

Donald Bailey, Marshall
118 South High St.
Liberty Park Add., Block 2, Lot 49-52
reside residence, \$6,000

Larry Sik, Marshall
206 Ash Drive
Village Park
Entry on mobile home, \$250

Gambles-Skagmo, Marshall
341 West Main
Original Plat, Block 4, Lot 11
attached sign, \$300

Joyce Schnell, Marshall
212 West Main
Original Plat, Block 10, Lot 16 & 17
Attached sign, \$400

County of Lyon, Marshall
Lyon County Fairgrounds
Section 8, Part of NW¼
demolition of exhibit building
\$0

Gary Buehler, Marshall
115 Spruce Lane
Village Park
entry on mobile home, \$200

SWesta Builders, Marshall
Section 4, Part of NW¼
New overhead door
\$15,000

Hirmer moved, Ritter seconded, the following variances be approved: Thomas Donahue, 616 Soucy Drive for a utility shed that would have a rear yard variance which would be within 1 foot of the rear lot line which is closer than the 15' required by City Code and a 2 foot side yard variance which is closer than the 5' required by City Code. Gary Eickhoff of 615 Kathryn for a utility shed which would be 8 feet from the rear lot line which is closer than the 15 feet required by City Code. Perry Banks of 111 East Redwood Street to move in a garage that would be 5' from the rear lot line which is closer than the 15' required by City Code. All voted in favor of the variances, except Rogalski.

It was the general consensus of the Council that when applicants for the various boards or commissions are not appointed to the board or commission they applied for they be asked if they would be interested in serving on one of the other boards or commissions.

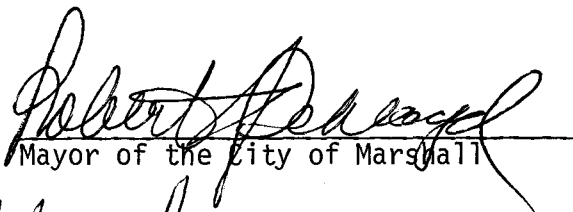
Hirmer moved, Rogalski seconded, a letter of appreciation and recognition be sent to Jack McLaughlin for his serving of 12 years on the Hospital Board. All voted in favor of the motion.


The City Administrator was directed to include as an agenda item for the June 2, 1980 meeting a time for discussion to give ideas to the Charter Commission for some type of a direction.

REGULAR MEETING - MAY 19, 1980 (CONT'D.)

The City Administrator was directed to also include on the June 2, 1980 meeting a time for discussion on retreats for Council members.

Upon motion made by Schlagel, seconded by Hirmer, the meeting was adjourned. All voted aye.


Mayor of the City of Marshall

ATTEST: 
City Clerk

REGULAR MEETING - JUNE 2, 1980

The regular meeting of the Common Council of the City of Marshall was held on June 2, 1980. The meeting was called to order by Mayor Schlagel at 7:30 P.M. In addition to the Mayor the following members were present: Purrington, Ritter, Hirmer, Hoffman, Rogalski and Berre. Absent: none.

Hirmer moved, Rogalski seconded, the approval of the minutes of the regular meeting of the Common Council held on May 19, 1980 as filed with each member and that the reading of the minutes be waived. All voted in favor of the motion.

At the regular meeting held on May 19, 1980 a resolution was adopted to advertise bids for the sale of bonds in the amount of \$240,000 for the 1980 Improvement Projects. At the same meeting it was decided to eliminate Curb & Gutter and Street Grading & Gravel Base Projects along East Lyon Street in the amount of \$21,951. Of the 1980 Improvement Projects \$37,939 is to be paid by the Marshall Municipal Utilities. By eliminating the East Lyon Project's in the amount of \$21,951 and by receiving the payment from the Marshall Municipal Utilities of \$37,939 the bond issue would now be \$180,000. Hirmer moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 388, SECOND SERIES and that the reading of the same be waived. Resolution Number 388, Second Series is a Resolution repelling Resolution Number 385, Second Series and providing for the issuance and sale of \$180,000 General Obligation Improvement Bonds of 1980 and to proceed with the option to negotiate the sale of the bonds. All voted in favor of the motion.

Purrington moved, Ritter seconded, a dance permit be granted to Patrick Egan for a dance at the Marshall National Guard Armory on Friday, June 6, 1980 between the hours of 8 P.M. and 12 midnight. All voted in favor of the motion.

Berre moved, Hirmer seconded, a fireworks permit be granted to the Marshall Fireworks Group for display on June 29, 1980 at the Lyon County Fairgrounds at a fee of \$2.00. This permit was granted under the condition that the Marshall Fireworks Group receive assistance from the Marshall Police Department for traffic control and that the Fireworks Group provide proof of the necessary insurance coverage and that they have the required fire department coverage. All voted in favor of the motion.

Hirmer moved, Hoffman seconded, a beer license be granted to Godfather's Pizza located at 1400 East College Drive. This license is for the period July 1, 1980 through December 31, 1980 at a fee of \$22.50. The City Administrator reported to the Council that the records check and background investigation had been done on the party's involved in the license. All voted in favor of the motion.

Schlagel moved, Berre seconded, Karen Sterner be appointed to the Human Rights Commission to complete the term of Joan Bierscheid which would expire on May 31, 1982. All voted in favor of the motion.

Hirmer moved, Ritter seconded, the approval of a supplemental appropriation from contingency to the Election's Account in the amount of \$850 for the purchase of 3 sets of 4 voting booths. All voted in favor of the motion.

REGULAR MEETING - JUNE 2, 1980 (CONT'D.)

At this time discussion was held on the increasing of the mileage reimbursement for the city use of private vehicles from 18¢ per mile to 23¢ per mile. Hoffman moved, Hirmer seconded, the increasing of the mileage reimbursement be referred to the Ways and Means Committee to be reviewed at budget time. All voted in favor of the motion.

At this time a discussion was held on the proposed recommendations of the Council for Charter Commission consideration. City Attorney, Brian Murphy, suggested several methods that the Charter could be amended. The items recommended by the Council for Charter Commission consideration were: 1) the bidding requirements should coincide with the State regulations; 2) changing of the fiscal year end; 3) change title of the City Clerk to include Finance Director or Finance Director exclusive; 4) the date the budget should be adopted; 5) and the structure of the Utilities Commission. According to the original adoption of the Charter the Utilities commission was to operate under State Statutes 453 which has been repealed. The question now is whether the Utilities Commission shall be ruled by Ordinance or under the City Charter. Hirmer moved, Rogalski seconded, an Ordinance governing the Utilities Commission be drafted and referred to Legislative and Ordinance Committee for review and also be reviewed with the Utilities Commission. All voted in favor of the motion.

A discussion was held at this time in regard to a retreat for Council members and/or Department Heads. It was the general consensus of the Council members that a retreat be held either the last week in June or the last week in July to discuss the goals and long range plans of the City of Marshall.

Council person, Purrington, informed the Council the Ways and Means Committee had held various meetings with downtown merchants in regard to the downtown parking meter dilemma.

Hirmer moved, Ritter seconded, and it was unanimously approved that the following bills be authorized for payment: GENERAL FUND, Voucher No. 68308 through 68380; LIQUOR FUND, Voucher No. 26018 through 26051; BOND FUND, Voucher No. 1956 through 1958; SPECIAL ASSESSMENTS FUND, Voucher No. 56 through 58; DEBT SERVICE, Voucher No. 1514; PARKING SYSTEM FUND, Voucher No. 2314 through 2319; WASTEWATER FACILITIES FUND, Voucher No. 1783 through 1801; and REVENUE SHARING, Voucher No. 174 through 175.

The following building permits and mobile home permits previously approved by the City Engineer were confirmed:

Edward Balazer, Marshall
403 Lawrence Street
Grays 3rd Addition, Block 1, Lot 2
Unattached garage, \$3,400

Lester Schmid, Marshall
507 South 2nd St.
Viking Addition, Block 1, Lot 2
Finish bedroom in basement, \$500

Dwight Jackson, Marshall
300 Rainbow Drive
Section 5, Part of SE $\frac{1}{4}$
entry and reside mobile home
\$800

Stella Campbell, Marshall
510 West Saratoga St.
"A" Addition, Block 7, Lot 6
Demolition of front porch and
build deck with roof, \$1,000

Ronald Morocco, Iowa
1400 East College Drive
McFarland Addition, Block 1, Lot 1
Remodeling, \$24,000

GTA Elevator, Marshall
701 North 7th St.
Section 33, Part of SW $\frac{1}{4}$
Concrete base, \$1,500

Tim Swenson, Marshall
111 West Main St.
Section 5, Part of NE $\frac{1}{4}$
2 free standing signs, \$0

John F. Frank, Marshall
1001 North 4th St.
Section 4, Part of NE $\frac{1}{4}$
new deck, \$250

Dulas Construction, Marshall
Lyon County Fairgrounds
Section 8, Part of NW $\frac{1}{4}$
new exhibit building, \$60,000

Slagel & Wambeke, Marshall
1106 Lyon Street
Nuese 2nd Addition, Block 1, Lot 1
Dwelling, \$57,000

M. Irving Peterson, Marshall
400 South 4th St.
"A" Addition, Block 3, Lot 1
Rear exit and exterior fire escape
\$5,000

Kenneth Winn, Marshall
1100 Colombine Drive
Southview 2nd Subdivision, Block 2, Lot 14
Deck, \$470

Doom & Cuypers, Marshall
1401 Westwood Drive
Westwood Acres 1, Block 3, Lot 10
Attached screened porch, \$3,000

REGULAR MEETING - JUNE 2, 1980 (CONT'D.)

Phillip Andreen, Marshall
1234 Avalon
Camelot Square
Utility Shed, \$200

John Thompson, Marshall
1307 Greenview Place
Sunrise Addition, Block 5, Lot 6

John C. Boerboom, Marshall
206 DeSchepper Court
Viking Addition, Outlot Glen, Lot 1
New Dwelling, \$55,000

John J. Frank, Marshall
1001 North 4th St.
Section 4, Part of NW¼
Utility Building \$150

Marion Baartman, Marshall
502 West Lyon St.
Original Plat, Block 17, Lot 11
New Foundation & Remodel porch
\$2,450

Edwin Burger, Marshall
1259 Avalon
Camelot Square
Mobile Home Installation

Aaron J. Esping, Marshall
401 Maple Lane
Village Park
Mobile Home Installation

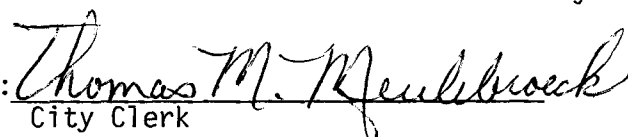
Purrington moved, Hirmer seconded, the approval of a side yard variance of 1 foot which is closer than the 5 feet required by City Ordinance and a rear yard variance of 10 feet which is closer than the 15 feet required by City Ordinance be approved for Edward Balazer of 403 Lawrence Street for an unattached garage. All voted aye, except Rogalski who voted no.

At the regular meeting on May 19, 1980 Council person, Dwayne Purrington, indicated to the Council that he would be willing to be a nominee for the Board of Directors of the League of Minnesota Cities. Mr. Purrington withdrew his nomination at this time. Council person, Linda Berre, indicated to the Council that she would be interested in being considered for the appointment to the Board of Directors of the League of Minnesota Cities.

A Council - Ambulance Committee meeting was set for Wednesday, June 18, 1980 at 7 P.M.

Upon motion made by Schlagel, seconded by Hirmer, the meeting was adjourned. All voted aye.


Mayor

ATTEST: 
City Clerk

REGULAR MEETING - JUNE 16, 1980

The regular meeting of the Common Council of the City of Marshall was held on June 16, 1980. The meeting was called to order by Mayor Schlagel at 7:30 P.M. In addition to the Mayor the following members were present: Purrington, Ritter, Hirmer, Hoffman, Rogalski and Berre. Absent: none.

Rogalski moved, Berre seconded, the approval of the minutes of the regular meeting of the Common Council held on June 2, 1980 as filed with each member and that the reading of the minutes be waived. All voted in favor of the motion.

At this time Director of Public Safety, Garry Rick, introduced to the Council 3 of the new Police Officers Frank Scherf, Tim Oakley and Brian DeWitt.

A bid was received, opened and read at this time from McLaughlin and Schulz in the amount of \$44,452.40 for the grading, aggregate base, bituminous surfacing and miscellaneous work to construct a paved bikeway along Country Club Drive from Cheryl Avenue to Highway No. 23 Intersection and on County Road No. 7 from Country Club Drive to the Redwood River. This project is to be constructed under a grant arrangement with the Minnesota Department of Transportation in which the State would pay approximately 75% of the total cost. This bid was referred to the City Engineer for review.

Upon recommendation of the Planning Commission, Purrington moved, Ritter seconded, the approval of a conditional use permit for a home occupation consisting of a drapery construction business be granted to Evelyn DeMartalaere of 204 DeSchepper Court. All voted in favor of the motion.

Schlagel moved, Hirmer seconded, a variance adjustment permit for Jim Archbold to erect a business sign at 805 East Main Street be denied. The sign to be erected by Mr. Archbold was considerably larger than allowed by City Code. It was the general feeling of the Council that there is getting to be too many objects and signs on residential property and too many variances to the Ordinance. All voted in favor of the motion, except Hoffman and Ritter who voted no.

Upon recommendation of the Planning Commission, Hoffman moved, Hirmer seconded, a 5 year conditional use permit be granted to Gerald Radtke at 409 North 7th Street for a car body repair shop. All voted in favor of the motion.

Schlagel moved, Ritter seconded, the following consumption and display (set-up) licenses be approved for the license year commencing July 1, 1980: The Chalet, Marshall Inn, VFW, Marshall Lanes, Blue Moon Ballroom, and The Eagles Club. All voted in favor of the motion.

Applications were received for the deferred payment on the special assessments for Watermain Replacement (Project No. SAS-W 1980A) in the amount of \$566 each for Laura Engberg of 318 Simmons Street and Anna Klein of 602 Peltier Street. Hoffman moved, Hirmer seconded, the approval of the deferred payment on these special assessments for a period of up to 5 years at a rate of 9% interest. All voted in favor of the motion.

Schlagel moved, Rogalski seconded, the authorization for the signing and execution of a grant agreement for the Bikeway Project and the awarding of the bids on this project be postponed until the Special Meeting on Thursday, June 19, 1980 at 7:30 P.M. The Council members were concerned about what arrangements had been made with the County for the construction of this bike trail along the County right-of-way. The Council members were also concerned about this road being a connecting point from HWY 23 to HWY 19 for the by-pass around the City of Marshall. All voted in favor of the motion.

A petition was to have been received at this time for the Curb & Gutter and Street Grading & Gravel Base Projects on Elm Street from Oak Street to High Street. There was no petition received, therefore Hirmer moved, Rogalski seconded, this project be postponed. All voted in favor of the motion.

Hirmer moved, Hoffman seconded, the adoption of RESOLUTION NUMBER 389, SECOND SERIES and that the reading of the same be waived. Resolution Number 389, Second Series is a Resolution Receiving the Engineer's Feasibility Report and Calling for a Public Hearing for the installation of a Storm Sewer System in the area between North 7th Street and the Burlington Northern Railroad and between Lyon Street and Fairview Street (Project No. STS 1980A). The public hearing was set for the regular meeting on July 7, 1980. All voted in favor of the motion.

REGULAR MEETING - JUNE 16, 1980 (CONT'D.)

Hirmer moved, Hoffman seconded, the adoption of RESOLUTION NUMBER 390, SECOND SERIES and that the reading of the same be waived. Resolution Number 390, Second Series is a Resolution Receiving the Engineer's Feasibility Report and Calling for a Public Hearing on the Bituminous Surfacing Project (Project No. BS 1980B) for High Street from North 6th Street to Elm Street. The public hearing was set for the regular meeting of July 7, 1980. All voted in favor of the motion.

Schlagel moved, Ritter seconded, the Marshall Municipal Liquor Store be allowed to purchase a vacuum cleaner at a cost of \$240 plus trade-in. All voted in favor of the motion.

Berre moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 391, SECOND SERIES and that the reading of the same be waived. Resolution Number 391, Second Series is a Resolution Authorizing the Proper City Officials to enter into an agreement with the Minnesota State Department of Public Safety to receive Portable Breath Testing Units. There will be no cost to the City for these units. All voted in favor of the motion.

A discussion was held at this time on a retreat or seminar for the Council Members and Department Heads. Councilperson, Purrington, indicated to the Council that he along with Councilmembers, Schlagel, Berre and Hirmer, had met with Helene Johnson, Executive Director of Government Training Services at the League of Minnesota Cities Convention in Duluth and discussed the arrangements and procedures for a retreat. Purrington moved, Hirmer seconded, the proper City Officials be allowed to enter into an agreement with Helene Johnson for a mutually agreed date and time during the third week in July for a retreat or a seminar. All voted in favor of the motion.

The Legislative and Ordinance Committee had met to discuss a possible Ordinance for the governing of the Utilities Commission. The Legislative and Ordinance Committee was not able to come up with an Ordinance, therefore they had no recommendation for the Charter Commission other than that the Legislative and Ordinance Committee meet with the Utilities Commission to discuss with them how the Commission should be governed.

Schlagel moved, Berre seconded, a 1 day temporary beer license be granted to the Marshall Jaycees for June 29, 1980 at the Marshall Fairgrounds to be used in connection with the Rolle Bolle Tournament. The fee for this permit is \$10.00. All voted in favor of the motion.

Hirmer moved, Hoffman seconded, the adoption of RESOLUTION NUMBER 392, SECOND SERIES and that the reading of the same be waived. Resolution Number 392, Second Series is a Resolution Amending the Resolution (Number 373, Second Series) Establishing and Providing for the Personnel Policy Rules and Regulations for the Employees for the City of Marshall, Minnesota. This Resolution allows for a new group of employees referred to as non-classified employees. These employees are hired with special arrangements, working conditions and compensation. All voted in favor of the motion.

Upon recommendation of the Personnel Committee, Hoffman moved, Hirmer seconded, the following employee salary changes be approved: Brian VanOverbeke, Maintenance Worker, Street Department from \$971 per month to \$1,020 per month effective March 16, 1980; Richard Sanow, Operator I, Wastewater Treatment Plant from \$855 per month to \$900 per month effective April 1, 1980; Kim Jergensen, Engineering Technician, Engineering Department from \$1,037 per month to \$1,090 per month effective April 16, 1980; Mike Phillippe, Maintenance Worker, Street Department from \$974 per month to \$1,012 per month effective April 16, 1980; Carrie Dorrance, Lab Technician, Wastewater Treatment Plant from \$1,034 per month to \$1,085 per month effective April 16, 1980; Thomas Meulebroeck, Finance Director/City Clerk from \$1,744 per month to \$1,831 per month effective April 16, 1980; Cindy Friesen, Retail Clerk, Municipal Liquor Store from \$703 per month to \$731 per month effective April 16, 1980; Douglas Goodmund, Program Supervisor, Park, Recreation and Community Education from \$887 per month to \$931 per month effective April 1, 1980; Joanne Buchert, Senior Clerk Typist, Engineering Department from \$744 per month to \$784 per month effective May 1, 1980; Joe Blanchette, Maintenance Worker, Street Department from \$899 per month to \$942 per month effective May 1, 1980; James Thompson, Maintenance Worker, Street Department from \$931 per month to \$972 per month effective May 1, 1980; Doris Huber, Secretary, Park, Recreation and Community Education and Assessor from \$761 per month to \$799 per month effective May 16, 1980; Joe Jacobsen, Engineering Helper, Engineering Department from \$3.25 per hour to \$4.25 per hour effective May 16, 1980; John Tomasck, Patrolman, Police Department from \$1,249 per month to \$1,308 per month effective June 1, 1980; Tim Henline, Senior Part-Time Clerk, Municipal Liquor Store from \$3.30 per hour to \$3.55 per hour effective June 1, 1980; Daryl

REGULAR MEETING - JUNE 16, 1980 (CONT'D.)

Frederichs, Operator I, Wastewater Treatment Plant from \$918 per month to \$964 per month effective June 16, 1980; Barry Swanson, Policeman, Police Department from \$1,068 per month to \$1,132 per month effective June 16, 1980; Curtis Nielsen, Sargent, Police Department was given additional compensation of \$1,300 for acting as Director of Public Safety from the date Chet Weiner retired until the date Garry Rick began employment with the City of Marshall. All voted in favor of the motion.

At this time a discussion was held on a new tree disease that has developed in the City of Marshall. The disease is called Cottony Maple Disease. The disease could be found in the following trees: Boxelder, Maple, Elm and Loccus.

Hirmer moved, Rogalski seconded, and it was unanimously approved that the following bills be authorized for payment: GENERAL FUND, Voucher No. 68381 through 68495; WASTEWATER FACILITIES FUND, Voucher No. 1802 through 1826; LIQUOR FUND, Voucher No. 26052 through 26072; DEBT SERVICE, Voucher No. 1515 through 1518; SPECIAL ASSESSMENTS FUND, Voucher No. 59 through 63; PARKING SYSTEM FUND, Voucher No. 2320 through 2326.

The following building permits previously approved by the City Engineer were confirmed:

Ronald Deike, Marshall
805 North 5th St.
Fre-Mar Add, Block 2, Lot 10
Demolition of Garage, \$0

Bladholm & Hess, Marshall
305 Legion Field Road
Section 5, Part of SE $\frac{1}{4}$
warehouse, \$40,000

Central Minnesota Legal Services
244 West Main Street
Original Plat, Block 10, Lot 8
Remodeling, \$20,000

God-Father's Pizza, Marshall
1400 East College Drive
McFarland Add., Block 1, Lot 1
Free standing sign, \$0

Randall Runia, Marshall
404 Lawrence
Gray's 2nd Add., Block 1, Lot 12
Patio door, deck & finish bathroom
in basement, \$2,000

Ronald W. Meulebroeck, Marshall
102 "C" Street
Railroad Add., Part of Block 1
Addition to garage, \$127.50

Edwin Steuck, Marshall
100 West Main
Section 5, Part of NE $\frac{1}{4}$
Utility Building, \$200

Norman R. Carstensen, Marshall
305 East Redwood St.
Hobarts Add., Block 3, Lot 6
Dwelling, \$51,000

Steve Wiener, Marshall
111 "F" Street
Kerkhove Add., Block 1, Lot 6
Deck, \$700

Robert McLaughlin, Marshall
403 Camden Drive
Eatros Place, Block 14, Lot 2
Utility Building, \$350

John Allen, Marshall
300 Hudson Street
Janzen Addition, Block 2, Lot 5
Add on storage area to garage
\$250

Nuese-Scotting Development, Marshall
802 Nuese Lane
Nuese 2nd Add., Block 4, Lot 2
Dwelling, \$50,000

Kenneth Putzel, Marshall
1402 East College Drive
McFarland Add., Block 1, Lot 2
Utility Building, \$1,000

Fraternal Order of Eagles, Marshall
423 West Main St.
Original Plat, Block 5, Lot 11 to 14
Rental space, game & water closet rooms
\$10,000

Children's Center, Marshall
1304 East College Drive
Section 3, Part of SW $\frac{1}{4}$
Shelter house, \$800

Earl Wiering, Marshall
701 South 1st St.
Viking Add., Block 2, Lot 1
Remodeling & new garage door
\$1,500

Dan Eggermont, Marshall
Hwy. 19 West
Section 5, Part of SW $\frac{1}{4}$
Siding and new door, \$1,700

Councilperson Purrington, requested that the local press be notified when they will be doing spraying for mosquitoes in the residential areas in the City of Marshall.

REGULAR MEETING - JUNE 16, 1980 (CONT'D.)

City Attorney, Brian Murphy, informed the Council that the State Statutes 451 Provisions for the limit that the City may charge for on-sale club license has been amended.

City Attorney, Brian Murphy, also indicated that the speed zones along Country Club Drive from the Highway 23 By-Pass Intersection should be reviewed at this time.

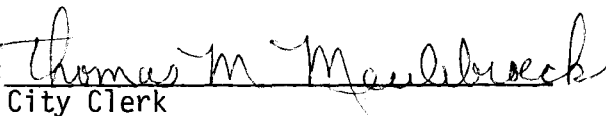
Jay walking in the downtown area of the City of Marshall was discussed at this time. It was the general feeling of the Council that it should not be enforced. It was the direction of the City Council that signs be posted in the downtown business area in regard to prohibited jay walking and that bicycles are not to be ridden on sidewalks.

Upon motion made by Schlagel, seconded by Hirmer, the meeting was adjourned. All voted aye.

Mayor



Attest:


City Clerk

SPECIAL MEETING - JUNE 19, 1980

A special meeting of the Common Council of the City of Marshall was held on June 19, 1980. The meeting was called to order by Mayor Schlagel at 7:30 P.M. In addition to the Mayor the following members were present: Ritter, Hirmer, and Rogalski. Absent: Purrington, Berre and Hoffman.

The Administrator provided affidavits showing the publication in the official newspaper of the City, the Independent, and the Commercial West at Minneapolis, Minnesota, the notice of sale of \$180,000 General Obligation Improvement Bonds of 1980 of the City as directed by Resolution adopted June 2, 1980. The affidavits were examined, approved and ordered placed on file. The Administrator then reported 5 sealed bids for the bonds had been received at his office in accordance with the notice of sale. The bids were publicly opened and read by Craig Savage of Springsted's Inc., and considered and were found to be as follows: Dain Bosworth Inc., Minneapolis, Minnesota, \$180,000, net interest cost of \$68,439.17 at a rate of 6.7427%; American National Bank and Trust Company of St. Paul, Minnesota, \$180,101, net interest cost of \$64,045.67 and a rate of 6.3099%; First National Bank of Minneapolis, Minnesota, \$180,000, net interest cost of \$66,990 and a rate of 6.60%; M. J. Novick & Company, Inc., Minneapolis, Minnesota, \$180,000, net interest cost of \$63,845.84 and a rate of 6.2902%; Allison Williams Company, Minneapolis, Minnesota, \$180,099, net interest cost of \$67,144.76 and a rate of 6.61524%.

Be it noted the arrival of Councilperson Purrington and Berre.

Hirmer moved, Ritter seconded, the adoption of RESOLUTION NUMBER 393, SECOND SERIES which is a Resolution authorizing issuance, awarding sale, prescribing the form and details and providing for the payment of \$180,000 General Obligation Improvement Bonds of 1980 of the City to be dated as of July 1, 1980. All voted in favor of the motion.

Purrington moved, Rogalski seconded, the adoption of RESOLUTION NUMBER 394, SECOND SERIES and that the reading of the Resolution be waived. All voted in favor of the motion. Resolution Number 394, Second Series is a Resolution awarding the bid for Curb & Gutter (Project No. CG 1980A and CG 1980B) to Dakota Contracting Corporation of Sioux Falls, South Dakota in the amount of \$48,012.70.

Ritter moved, Berre seconded, the adoption of RESOLUTION NUMBER 395, SECOND SERIES and that the reading of the Resolution be waived. All voted in favor of the motion. Resolution Number 395, Second Series is a Resolution awarding the bid for Street Grading, Gravel Base and Bituminous Surfacing (Project No. SB-GB 1980A, SG-GB-BS 1980B, BS 1980A) to McLaughlin & Schulz, Marshall, Minnesota in the amount of \$67,918.86.

SPECIAL MEETING - JUNE 19, 1980 (CONT'D.)

Berre moved, Ritter seconded, the adoption of RESOLUTION NUMBER 396, SECOND SERIES and that the reading of the Resolution be waived. All voted in favor of the motion. Resolution Number 396, Second Series is a Resolution awarding the bid for Sanitary Sewer and Watermain (Project No. SAS 1980A and W 1980A) to Bartz Excavating, Ivanhoe, Minnesota in the amount of \$101,660.75.

Hirmer moved, Berre seconded, change order no. 1 for Dakota Contracting Corporation in the amount of \$10,412.46 and change order no. 1 for McLaughlin and Schulz, Inc., in the amount of \$9,152.95 be added to the agenda. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, the approval of change order no. 1 for Dakota Contracting Corporation which is a deduct in the amount of \$10,412.46 for the Curb & Gutter (Project No. CG 1980A) along East Lyon Street. The change order no. 1 which is also a deduct for McLaughlin & Schulz in the amount of \$9,152.95 for Street Grading and Gravel Base (Project No. SG-GB 1980A) for East Lyon Street was also approved. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, the bid for the grading, aggregate base, bituminous surfacing and miscellaneous work for the Bikeway on C.S.A.H. no. 7 from the Redwood River to Trunk Hwy. 23, State Project No. 139-090-01 and on Country Club Drive from Trunk Hwy. 23 to Cheryl Avenue, State Project No. 139-122-01 be awarded to McLaughlin & Schulz of Marshall, Minnesota in the amount of \$44,452.40. All voted in favor of the motion.

Purrington moved, Ritter seconded, the adoption of RESOLUTION NUMBER 397, SECOND SERIES and that the reading of the same be waived. Resolution Number 397, Second Series is a Resolution authorizing the proper City Officials to enter into an agreement with the State Department of Transportation for a grant for construction of the Bikeway Project. All voted in favor of the motion.

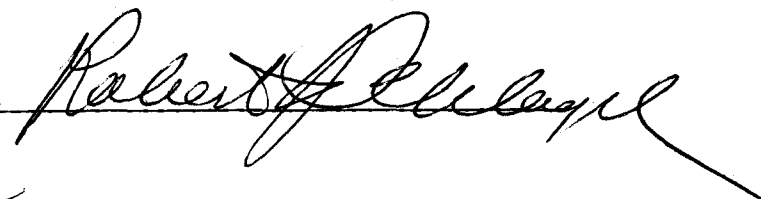
Berre moved, Hirmer seconded, a dance permit be granted to KMHL Radio Station for a dance to be held at the National Guard Armory on Friday, June 20, 1980 between the hours of 8 P.M. and 12 P.M. All voted in favor of the motion.

Schlagel moved, Ritter seconded, Harry Weilage be hired as the Director of Parks, Recreation and Community Education effective July 7, 1980 at a rate of \$1,583.00 per month. All voted in favor of the motion.

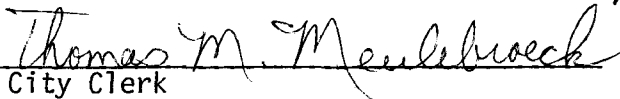
Schalgel moved, Berre seconded, the City of Marshall be allowed to act as the fiscal agent for a grant from the SMACH in the amount of \$5,000 for the Prairie Arts Corral showcase concerts. All voted in favor of the motion.

Upon motion made by Schlagel, seconded by Ritter the meeting was adjourned. All voted in favor of the motion.

MAYOR



ATTEST:



City Clerk

REGULAR MEETING - JULY 7, 1980

The regular meeting of the Common Council of the City of Marshall was held on July 7, 1980. The meeting was called to order by Mayor Schlagel at 7:30 P.M. In addition to the Mayor the following members were present: Purrington, Ritter, Hirmer, Hoffman, Rogalski and Berre. Absent: none.

Rogalski moved, Berre seconded, the approval of the minutes of the regular meeting of the Common Council held on June 16, 1980 and the special meeting of June 19, 1980 as filed with each member and that the reading of the minutes be waived. All voted in favor of the motion.

A public hearing was held at this time in regard to the North 7th Street Storm Sewer Project which is located between North 7th Street and the Burlington Northern Railroad and between Lyon Street and Fairview Street. Mr. Duane Aden reviewed the project with the Council and was available for any questions the Council and affected property owners had on the project. A letter was received from L. W. Mannion of 303 North 7th Street in which he indicated his opposition to the project. Jerry Radtke of 409 North 7th Street was concerned about the cost per property owner in the area. Mr. Aden indicated to him that the cost per lot varies on the size of the lot and how the lot would be affected by this project. Mr. Don Edblom of 205 North 7th Street felt he would not receive any benefit from this project, therefore he should not be assessed anything and he was also concerned about when this project would begin if approved. Mr. Aden indicated to Mr. Edblom even though he felt he wasn't receiving a direct benefit from this project that his water had to go somewhere and that the project if approved would begin in approximately 3 months. Hirmer moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 398, SECOND SERIES and that the reading of the same be waived. Resolution Number 398, Second Series is a Resolution ordering the improvement and preparation of plans and specifications for the installation of the Storm Sewer System, Project No. STS 1980A. All voted in favor of the motion.

A public hearing was held on the installation of Bituminous Surfacing on North High Street from Sixth Street and Elm Street. Mr. Aden, City Engineer, indicated that the cost of this project would be approximately \$4,100 of which one-half of the cost would be assessed to the City. Bill Swanson, an affected property owner in the area, was concerned about the cost per property owner. Mr. Aden indicated it would cost approximately \$5.87 per front footage. Schlagel moved, Hirmer seconded, the adoption of RESOLUTION NUMBER 399, SECOND SERIES and that the reading of the same be waived. Resolution Number 399, Second Series is a Resolution ordering improvement and preparation of plans and specifications for the installation of Bituminous Surfacing, Project No. BS 1980B. All voted in favor of the motion.

At the regular meeting of the Common Council held on June 16, 1980 a request for a variance adjustment permit for Jim Archbold to erect a business sign at 805 East Main Street was denied. Mr. Archbold had requested this be reconsidered. Purrington moved, Hoffman seconded, the variance adjustment permit to erect a sign at 805 East Main Street be reconsidered. Hoffman, Purrington and Ritter voted in favor of the motion. Hirmer, Rogalski, Berre and Schlagel voted no. The motion to reconsider was denied.

Purrington moved, Ritter seconded, that a dance permit be granted to Patrick Egan for a dance to be held at the National Guard Armory on Friday, July 11, 1980 between the hours of 9 P.M. and 12 P.M. All voted in favor of the motion.

Mr. Burdell Wessells, insurance consultant from Corporate Risk Managers, was in attendance at the meeting to review with the Council the City of Marshall's insurance coverage. Mr. Wessells briefly reviewed the various coverages we have, what's covered and what is not and indicated that he would be drafting up specifications for our insurance coverage.

Purrington moved, Hirmer seconded, the proper City Officials be allowed to enter into a Grant Agreement with the State Department of Education for an Adult Basic Education/GED Grant. This Grant is for a 1 year period in the amount of \$19,258 plus the City's share of \$600. All voted in favor of the motion.

Schlagel moved, Hirmer seconded, a temporary bingo license be granted to the Minneota American Legion Post No. 199 for use at the Lyon County Fair for August 7 through August 10, 1980 at a fee of \$10.00. All voted in favor of the motion.

REGULAR MEETING - JULY 7, 1980 (CONT'D.)

George Minehart of Gold, Carlson & Minehart, Certified Public Accountants, presented and reviewed with the Council the Financial Audit for the fiscal year ended December 31, 1979. Schlage1 moved, Hoffman seconded, the approval of the financial report along with the adoption of RESOLUTION NUMBER 400, SECOND SERIES and that the reading of the same be waived. Resolution Number 400, Second Series is a Resolution reallocating budget amounts for fiscal year ended December 31, 1979. All voted in favor of the motion.

A discussion was held at this time on the change order M-7 in the amount of \$2,384.90, change order no. M-10 in the amount of \$2,011.34 and change order G-3 in the amount of \$1,875.00. These change orders are in reference to the front entrance of the Marshall Lyon County Library. Purrington moved, Berre seconded, the approval of change order M-7 in the amount of \$2,384.90. This change order provides for a heater in the entry way at the Marshall Lyon County Library. Purrington, Ritter, Hoffman, Berre and Schlage1 voted in favor of the motion. Rogalski and Hirmer voted no.

Rogalski moved, Hoffman seconded, the approval of change order G-3 for SWesta Builders Inc., in the amount of \$1,875.00 for the installation of insulated glass in the doors of the entry way at the Marshall Lyon County Library. Berre, Rogalski and Hirmer voted in favor of the motion. Ritter, Purrington, Hoffman and Schlage1 voted no. The change order G-3 was denied.

Schlage1 moved, Hoffman seconded, the approval of the transfer of \$174,562.85 from the contingency of the general fund to the Debt Service Fund Airport Improvement Bond Account for the payment of the temporary bond issue. All voted in favor of the motion.

Hirmer moved, Hoffman seconded, the proper City Officials be allowed to enter into an agreement with the Government Training Service to present a 2 day goal setting workshop for the City Council Members and key Department Heads. The workshop will be facilitated by John Vinten. The sessions will be held on July 16, 1980 and August 6, 1980 from 9 A.M. to 5 P.M. The cost to the City of Marshall will be \$700 plus reimbursement for facility expense. All voted in favor of the motion.

At the quarterly meeting of the Personnel Committee held in June, 1980 the taxi drivers had requested certain fringe benefits. This recommendation was referred to the Transportation Committee. The Transportation Committee indicated to the Council the taxi drivers will not be receiving fringe benefits but would be receiving six, twelve, eighteen and twenty four month reviews.

Hirmer moved, Rogalski seconded, the proper City Officials be allowed to enter into an agreement with Minnesota State Planning Agency for a Grant to assist in the construction of a picnic shelter and restroom storage facility at Justice Park. The estimated cost of this project is \$25,113 with the State Grant providing \$4,076 towards the cost. All voted in favor of the motion.

Hirmer moved, Schlage1 seconded, the proper City Officials be allowed to advertise for bids for the construction of a picnic shelter and restroom storage facility at Justice Park and that the cost of the City for this project be transferred from contingency to the Park Maintenance Account. All voted in favor of the motion.

Hirmer moved, Ritter seconded, the adoption of RESOLUTION NUMBER 401, SECOND SERIES and that the reading of the same be waived. Resolution Number 401, Second Series is a Resolution establishing a need for nuisance abatement of Dutch Elm Disease infected trees and calling for a public hearing for July 21, 1980 at 7:30 P.M. All voted in favor of the motion.

Hirmer moved, Purrington seconded, the City Engineer's Office be allowed to administer and control a program for the relocation of ash trees that are presently located along the Diversion Channel Right-of-way West of Trunk Highway 59 on the North side of the Diversion Channel. These trees were originally received through the Soil Conservation Services. These trees that are being relocated are being sold at a price of \$20.00 per tree. All voted in favor of the motion.

Ordinance No. 12, Subdivision No. 12 provides that for 1 to 4 family residential properties the monthly user charges for June, July, August, September should not exceed the average monthly user charge determined in January, February, March and April. Purrington moved, Rogalski seconded, the request for May and October to be added to the summer months so that residents do not receive charges for water used in watering their lawns and other outside activities be referred to the Legislative and Ordinance Committee. All voted in favor of the motion.

REGULAR MEETING - JULY 7, 1980 (CONT'D.)

Schlagel moved, Berre seconded, the adoption of RESOLUTION NUMBER 402, SECOND SERIES and that the reading of the same be waived. Resolution Number 402, Second Series is a Resolution declaring cost to be assessed and ordering preparation of proposed assessment and calling for a hearing on the proposed assessment. This hearing has been set for August 4, 1980 for the proposed assessments for the construction and/or installation of Bituminous Surfacing, Project No. BS 1979A, for Peterson Street from Sunrise Lane to Jewett Street. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, the proper City Officials be allowed to advertise for bids for a Police Squad Car with trade-in. To be included with the specs are side rear view mirrors with inside controls and a spot light on the drivers side. Hoffman moved, Hirmer seconded, the motion be amended to allow for the advertisement for bids for a full size car with an alternative bid for a medium size car. All voted in favor of the amended motion, except Rogalski who voted no. All voted in favor of the original motion as amended, except Rogalski who voted no.

A discussion was held at this time on the availability of pool cars and in town use of personnel cars for city business. There seems to be a shortage of pool cars with the increase in need and use of the present pool cars we have. Hirmer moved, Berre seconded, this matter be referred to the Ways and Means Committee for consideration at budget time. All voted in favor of the motion.

The City Administrator had received notification from the Interstate Commerce Commission that the Chicago, Northwestern Railroad lying from Tracy, Minnesota to Gary, South Dakota has been approved for abandonment. Hoffman moved, Hirmer seconded, an attempt to acquire the railroad right-of-way be referred to the Ways and Means Committee. It was also recommended the City work with the Marshall Municipal Utilities in the acquiring of the railroad right-of-way. All voted in favor of the motion.

Schlagel moved, Hirmer seconded, to allow the office of the City Clerk to appoint judges for the up coming Primary and General Elections. All voted in favor of the motion.

Berre moved, Schlagel seconded, the City of Marshall be allowed to act as the fiscal agent in accepting a grant from SMACH for the Rural Arts Festival. The amount of this grant is \$600. All voted in favor of the motion.

Berre moved, Purrington seconded, and it was unanimously approved that the following bills be authorized for payment: DEBT SERVICE, Voucher No. 1519; SPECIAL ASSESSMENTS FUND, Voucher No. 64 through 69; PARKING SYSTEM FUND, Voucher No. 2327 through 2333; WASTEWATER FACILITIES FUND, Voucher No. 1827 through 1862; GENERAL FUND, Voucher No. 68496 through 68652; LIQUOR FUND, Voucher No. 26073 through 26111.

Schlagel moved, Berre seconded, the effective hire date for Harry Weilage, Director of Parks, Recreation and Community Education be extended to July 21, 1980. All voted in favor of the motion.

The following building and mobile home permits previously approved by the City Engineer were confirmed:

Milbert Martell, Marshall
1003 Poplar St.
Ver-Marv Addition, Block 2, Lot 7
attached storage building to garage
\$200

Thomas Behm, Marshall
1504 Pinehurst Road
Westwood Acres II, Block 2, Lot 1
Dwelling, \$48,000

Thomas Lowe, Marshall
602 Lawrence Street
Nielsen's 7th Add., Block 1, Lot 3
Utility shed, \$125

Bladholm and Hess, Marshall
105 North 1st Street
Original Plat, Block 11, Lot: Part of 1
construct wall, \$4,000

Babcock Const., Marshall
710 North 6th Street
Fre-Mar Addition, Block 2, Lot 19
Reside residence, \$3,300

Geske Building, Lynd
404 North 4th St.
Riverside Add., Block 12, Lot: Part of 10
Resideing, \$4,125

James R. & Duane J. Anderson, Marshall
1212 East College Drive
Section 3, Part of SW¼
bathroom installation, partions, & ramp
\$3,000

George & Carol Marshall, Marshall
302 East Lyon St.
Hoberts Add., Block 1, Lot 1
Bedroom and family room, \$20,000

REGULAR MEETING - JULY 7, 1980 (CONT'D.)

John Glasgow, Marshall
202 DeSchepper St.
Viking Add., Block 5, Lot 1
Deck, \$700

Don Nagel, Marshall
702 North 4th St.
Schutz Add., Block 3, Lot 2
Sliding glass door & Screened porch, \$1,000

James R. & Duane J. Anderson, Marshall
1212 East College Drive
Section 3, Part of SW¼
Free standing sign, \$0

LaVern Gawarecki, Marshall
302 East Redwood St.
Hoberts Add., Block 2, Lot 6
Storage Building, \$250

James Maxwell, Marshall
705 North 4th St.
Riverside Add., Block 5, Lot 8
Entry, \$550

Larsen Const., Marshall
117 South 5th St.
"A" Add., Block 6, Lot 6
residing and replace windows
\$4,000

Dan Steffl, Marshall
344 Timberlane Drive
Village Park
Utility Building
\$100

Donald Tomasek, Marshall
908 Poplar St.
Eastside Add., Block 3, Lot 2
Storage Building, \$500

Mobile Home Permit

V. P. C. Partnership, Marshall
325 Timberlane Drive, Village Park
Install mobile home

Hirmer moved, Hoffman seconded, the approval of a rear yard variance of 8 feet which is closer than the 15 feet required by City Ordinance be approved for Donald Tomasek of 908 Poplar Street to construct a storage building. All voted in favor of the motion, except Rogalski who voted no.

It was the recommendation of Councilperson, Purrington, the Legislative and Ordinance Committee review the attendance requirements for the various commissions for the City of Marshall.

Councilperson, Ritter, requested that there be some action taken on the weeds in the WestMar Addition in the City of Marshall.

Councilperson, Rogalski, requested that the abandoned vehicles and accumulation of other debris in the area of Legion Field Road be investigated.

Councilperson, Hirmer, indicated that the Ordinance and Legislative Committee has had two meetings and has another scheduled with the Marshall Municipal Utilities to discuss their differences concerning various charter amendments.

Upon motion made by Schlagel, seconded by Berre, the meeting was adjourned. All voted in favor of the motion.

ATTEST: Thomas M. Meulbroeck
City Clerk

Don Klein, Ghent
201 "F" St.
Nuese 2nd Addition, Block 1, Lot 10
Dwelling, \$48,000

James A. Hubley, Marshall
107 South 4th St.
Original Plat, Block 4, Lot: Part of 17
Free standing sign, \$0

Taylor's Inc., Marshall
603 Kennedy Ave.
Van Uden 2nd Add., Block 3, Lot 4
Residing, Guttering, new aluminum soffit, combinations, \$4,000

Ken Brooks
205 South 1st St.
Blakes Add., Block 7, Lot 3
Playhouse, \$75

Dr. C. F. McGuiggan, Marshall
104 West Redwood St.
Original Plat, Block 22, Lot 7 & 8
Free standing sign, \$0

Slagel & Wambeke, Inc., Marshall
1300 East College Drive
Section 3, Part of SW¼
addition to building, \$15,000

SWesta Builders Inc., Marshall
1213 Horizon Drive
Sunrise Park Add., Block 2, Lot 11
Residing residence, \$4,000

Chester Jacobsen, Marshall
604 Kendall St.
J. D. Eastmans Add., Lot 7
entry add., window replacement
\$1,000

Robert J. Schlagel
Mayor

REGULAR MEETING - JULY 21, 1980

The regular meeting of the Common Council of the City of Marshall was held on July 21, 1980. The meeting was called to order by Mayor Schlagel at 7:30 P.M. In addition to the Mayor the following members were present: Purrington, Ritter, Hirmer, Hoffman, Rogalski and Berre. Absent: none.

Rogalski moved, Berre seconded, the approval of the minutes of the regular meeting of the Common Council held on July 7, 1980 as filed with each member and that the reading of the minutes be waived. All voted in favor of the motion.

A public hearing was held at this time on whether or not the City should proceed with having certain infected Dutch Elm Disease trees removed which have not been removed by the abutting property owner. The case involved is the Lindberg case on 806 East Main Street. Purrington moved, Hirmer seconded, the adoption of RESOLUTION NUMBER 403, SECOND SERIES and that the reading of the same be waived. Resolution Number 403, Second Series is a Resolution ordering the abatement of Dutch Elm Disease infected tree nuisance. The cost involved with the removal of trees under this resolution are to be assessed to the abutting property owner. All voted in favor of the motion.

A bid was received for a 4-door Sedan Police type automobile. The bid received was from Tholen Auto Sales, Marshall, Minnesota for a Buick Lawman LeSabre in the amount of \$6,008 with a provision for a 1981 increase not to exceed 6% or \$425. A letter was received from Southwest Ford Lincoln Mercury Sales, Inc., of Marshall, Minnesota, indicating that they were unable to submit a bid at this time for a 1981 vehicle. Hoffman moved, Ritter seconded, the bid be awarded to Tholen Auto Sales, Marshall, Minnesota in the amount of \$6,008 with a provision for a 1981 increase of 6% and not to exceed \$425 for a 1981 Buick Lawman LeSabre. All voted in favor of the motion.

A discussion was held at this time on the City Council's recommendation to the Charter Commission on the proposed Charter amendments in reference to the governing of the Utilities Commission. The four issues that were drafted by the Council and lead to considerable discussion were that the Council should approve Utilities contracts anytime there has to be a bond indebtedness, the Council should approve long term contracts, the Council should negotiate the rates the City pays for water and sewer charges and the City Council would like to negotiate payments the Utilities Commission pays in lieu of taxes. Hirmer moved, Rogalski seconded, the Council Committee of the whole meet on Wednesday noon, July 23, 1980 at Toni's to put in writing their recommendations to the Charter Commission. All voted in favor of the motion.

Upon recommendation of the Planning Commission, Purrington moved, Schlagel seconded, a variance adjustment permit be granted to Doug DeMuth of 502 Pleasant Avenue for a side yard variance for an addition to an existing home. All voted in favor of the motion.

Upon recommendation of the Planning Commission, Schlagel moved, Hoffman seconded, the approval of the variance permit for Wilson O'Brien Realty of 214 West College Drive to construct a bituminous parking lot up to the property line rather than the 10' from the line as required by the City Code. This parking lot is on the corner of Hamden Street and Greely Street. All voted in favor of the motion except Purrington who abstained.

A discussion was held at this time on the introduction of an Ordinance for a change in zoning classification from R-1 to B-1, from R-2 to B-1 at 432 Legion Field Road. This area is presently a non-conforming 'grandfathered' use which will expire in 1991. All the buildings located within this zoning request area are of the commercial or industrial type use. Councilperson, Rogalski, informed the Council that residents in the area would prefer that a conditional use permit be granted instead of the rezoning. Hirmer moved, Rogalski seconded, the request to rezone the property at 432 Legion Field Road be denied. All voted in favor of the motion, except Purrington who voted no. Due to a misunderstanding in the previous motion, Berre moved, Hoffman seconded, to reconsider the rezoning of the property at 432 Legion Field Road. All voted in favor of the motion, except Rogalski and Hirmer who voted no. Berre moved, Hoffman seconded, to defeat the motion denying the rezoning of the property at 432 Legion Field Road. All voted in favor of the motion, except Hirmer and Rogalski who voted no. In the Council's discussion on the rezoning of the property at 432 Legion Field Road they had considered a conditional use permit for this area, therefore Hoffman moved, Purrington seconded, postponing to the next regular meeting on August 4, 1980 the possibility of issuing a conditional use permit so that the conditions can be worked out between the prespective buyer and the proper City Personnel. All voted in favor of the motion, except Rogalski who voted no.

REGULAR MEETING - JULY 21, 1980 (CONT'D.)

Mr. Willard Engel, manager of the Lyon County Coop was in attendance at the meeting to discuss with the Council the introduction of an Ordinance to rezone property for the Lyon County Coop from B-2 to I-2. This property that is requested to be rezoned is at the Intersection of Hwy. 59 & 23. It is the intent of Lyon County Coop to construct a warehouse and bulk tank storage at this location if the rezoning is approved. The rezoning request included approximately 6 acres. Berre moved, Hirmer seconded, the request to rezone property for Lyon County Coop at the intersection of Hwy. 59 & 23 be denied. It was the general consensus of the Council that they were not in favor of the amount of property being rezoned and that if rezoned they could later sell or use this property for anything they wanted. Hirmer, Schlagel, Berre and Rogalski voted in favor of the motion. Purrington, Ritter and Hoffman voted no.

Purrington moved, Ritter seconded, the dance permit for Patrick Egan for a dance to be held at the National Guard Armory on Friday, August 1, 1980 between the hours of 8 P.M. and 12 P.M. be denied. All voted in favor of the motion.

Schlagel moved, Rogalski seconded, the Marshall Inn be allowed to install an entrance sign at the entrance of East College Drive and O'Connell Street. The dimensions of this sign would be 4' wide by 5' tall. All voted in favor of this motion, except Hirmer who voted no.

Hirmer moved, Purrington seconded the approval of a supplemental appropriation from the contingency account to the Mayor and Council account in the amount of \$2,600 for the increase in the fee for the conducting of the audit for fiscal year 1979 by Gold, Carlson & Minehart. All voted in favor of the motion.

Schlagel moved, Berre seconded, the approval of an annual off-sale non-intoxicating beer license at a fee of \$5.00 and a 3 month temporary on-sale non-intoxicating beer license at a fee of \$25.00 for the Mongeau-Tholen VFW Post #742 for the Lyon County Fairgrounds. All voted in favor of the motion.

Purrington moved, Ritter seconded, the approval of a transient merchants license for Bruce Owens from Southwestern Publishing Company of Nashville, Tennessee for the door to door sale of books within the City of Marshall. All voted in favor of the motion, except Rogalski and Schlagel who voted no.

"The Inn" restaurant had requested 1/6 of their annual wine license fee be refunded since they will not be open for operation during the months of July and August. Hirmer moved, Berre seconded, the request for a refund be denied. It was the general feeling of the Council if they allowed the refund they would be setting a precedent for other organizations that pay the fee. All voted in favor of the motion.

A brief discussion was held at this time on the proposals for long range growth and planning developed by the Council members at their retreat held on July 16, 1980. Berre moved, Schlagel seconded, the discussion of the long range growth and planning for the City of Marshall be postponed to the council members and department heads retreat to be held on August 6, 1980. All voted in favor of the motion.

Berre moved, Hirmer seconded, the approval of the introduction of an Ordinance amending certain sections in the City Code, Chapter 3, Section 3.10 Subdivision 12 relating to domestic and waste charges. This Ordinance would include May and October along with June, July, August and September for the summer sanitary sewer charges based on the average of January, February, March and April sewer charges. All voted in favor of the motion.

A discussion was held on the introduction of an Ordinance amending certain sections of the City Code, Chapter 9, Section 9.04 in regard to overnight parking on residential streets. Hirmer moved, Schlagel seconded, the introduction of this Ordinance be referred to the Legislative and Ordinance Committee for review. All voted in favor of the motion.

Schlagel moved, Berre seconded, the proper City Officials be allowed to advertise for bids for a project jointly or as two separate projects a service building and shelter building at the Justice Park. Preliminary grant approval has been received from the State on these projects. All voted in favor of the motion.

Hirmer moved, Berre seconded, the proper City Officials be allowed to advertise for bids for the grit and grease removal project at the Wastewater Treatment Facility. These bids are to be received August 18, 1980. Short Elliott & Hendrickson, consultants for this project, have finished plans and specifications for this project. This project will be financed through the Capital Reserves of the Wastewater Enterprise Fund. A letter was received from the Minnesota Pollution Control Agency indicating that this

REGULAR MEETING - JULY 21, 1980 (CONT'D.)

project would not be placed on the Municipal Project list for fiscal year 1981. All voted in favor of the motion, except Rogalski who voted no.

Hoffman moved, Hirmer seconded, the adoption of RESOLUTION NUMBER 404, SECOND SERIES and that the reading of the same be waived. Resolution Number 404, Second Series is a Resolution approving plans and specifications and ordering the advertisement for bids on Project No. STS 1980A. This Storm Sewer System Project is in the area of North 7th Street. The bids are to be received at the regular Council meeting to be held on August 4, 1980. All voted in favor of the motion.

Hoffman moved, Hirmer seconded, the adoption of RESOLUTION NUMBER 405, SECOND SERIES and that the reading of the same be waived. Resolution Number 405, Second Series is a Resolution approving plans and specifications and ordering the advertisement for bids on Project No. BS 1980B. This project is for Bituminous Surfacing on North High Street from 6th Street to Elm Street. The bids are to be received at the regular City Council meeting to be held on August 4, 1980. All voted in favor of the motion.

Hirmer moved, Ritter seconded, the proper City Personnel be authorized to advertise for bids for the annual Bituminous Seal Coat and Bituminous Overlay. These bids are to be received at 7:30 P.M. on August 4, 1980. All voted in favor of the motion.

Rogalski moved, Schlagel seconded, the approval of a supplemental appropriation from contingency to the Civil Defense Account in the amount of \$750. The \$750 was for the wiring between the stand-by generator, received from Lyon County at no cost, to the Police Department. All voted in favor of the motion.

The next item of business was a request from the Public Safety Director to hire additional personnel for their department. The discussion on this topic and the overall needs and requirements of the Police Department was scheduled for a special meeting on Monday, July 28, 1980 at 7:30 P.M.

Berre moved, Schlagel seconded, the approval of a supplemental appropriation from contingency to the Police Department Account in the amount of \$412.95 for a resuscitator for one of the police squad cars. All voted in favor of the motion, except Rogalski who voted no.

The Council briefly discussed the preliminary census count for the City of Marshall. The preliminary count indicated 10,849 persons which is an increase of 961 people since the 1970 census.

Councilperson, Purrington, indicated to the Council the Ways and Means Committee of the Council has continued to meet with the Downtown Association in regard to the removal of the parking meters.

Hirmer moved, Hoffman seconded, the approval of change order G-4 in the amount of \$1,008.03 for the wage determination decision no. S-80-MN-107 for SWesta Builders Inc., for the energy conservation project for the Marshall Lyon County Library and the Marshall Municipal Building and also approved final payment to SWesta Builders on the same project in the amount of \$7,229.03. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, and it was unanimously approved that the following bills be authorized for payment: GENERAL FUND, Voucher No. 68653 through 68759; LIQUOR FUND, Voucher No. 26112 through 26129, PARKING SYSTEM FUND, Voucher No. 2334 through 2339, DEBT SERVICE FUND, Voucher No. 1520 through 1523, SPECIAL ASSESSMENT FUND, Voucher No. 70 through 77, WASTEWATER TREATMENT FUND, Voucher No. 1863 through 1888, and REVENUE SHARING FUND, Voucher No. 176 through 178.

The following building permits previously approved by the City Engineer were confirmed:

Steven A. Menk, Marshall
108 "C" Street
Railroad Addition, Block 1
remodel dwelling, \$2,200

Diane M. Moore, Marshall
206 DeSchepper Street
Viking Addition, Block 5, Lot 3
Dwelling, \$36,000

Paxton Signs, Marshall
103 South 4th St.
Original Plat, Block 4
sign, \$200

Norris K. Sletten, Marshall
401 Hawthorn Drive
Southview 2nd Subdivision, Block 2, Lot 10
deck and finish basement, \$1,200

REGULAR MEETING - JULY 21, 1980 (CONT'D.)

Thomas W. Lowe, Marshall
602 Lawrence St.
Viking Addition, Block 1, Lot 18
fireplace, \$350

Terry Ousky, Milroy
1103 Columbine Drive
Southview 2nd Subdivision
Block 3, Lot 7
dwelling, \$36,700

Joseph A. Amato, Marshall
202 Park Avenue
Park Place, Lot 2
screen porch, \$3,200

Oscar F. Serreyn, Marshall
802 Columbine Drive
Southview Subdivision, Block 2, Lot 2
deck and door, \$1,100

Slagel & Wambeke, Marshall
309 North Whitney Street
Roggeman's Addition, Lot 8
screen porch, \$6,200

Babcock Const., Marshall
611 Thomas Avenue
Eatros Place 4th Add., Block 2, Lot 7
reside, \$3,500

Babcock Const., Marshall
504 Summit Street
Archbold's Addition, Lot 3
reside, \$2,900

Harry F. Callow, Marshall
525 West Main
Original Plat, Block 6, Lot 14
rebuild garage, \$700

Thomas E. VanPutten, Marshall
114 Kathryn Avenue
Nielsen's 8th Addition, Block 1, Lot 1
screen porch & utility building, \$850

Richard E. Rasmussen, Marshall
406 North 7th St.
Soucy Addition, Lot 15
close window opening, \$25

Eugene Pequin
308 Rainbow Drive
utility building, \$250

Lyon County Co-op Oil Co.
1104 East Main Street
Store room partition, \$500

Howard & Donna Kor
100 Hill St.
Dwelling, \$47,000

Councilperson, Rogalski, indicated to the Council that a percentage procedure should possibly be used for determining the attendance requirement for the various Commissions of the City of Marshall.

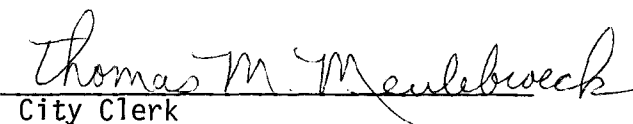
Hoffman moved, Berre seconded, a gambling license for the St. Mary's Church of Tracy, Minnesota to hold a raffle at the Holy Redeemer Church in Marshall be added to the agenda. All voted in favor of the motion.

Hoffman moved, Berre seconded, a gambling license for the St. Mary's Church of Tracy to hold a car raffle at the Holy Redeemer Church in Marshall be approved. All voted in favor of the motion, except Rogalski.

City Administrator, Jim Heller, indicated to the Council he had received a request from the Sweet Adelines for the use of the Senior Citizen hall as a practice location.

Upon motion made by Schlagel, seconded by Ritter, the meeting was adjourned. All voted aye.


Mayor

ATTEST: 
City Clerk

SPECIAL MEETING - JULY 28, 1980

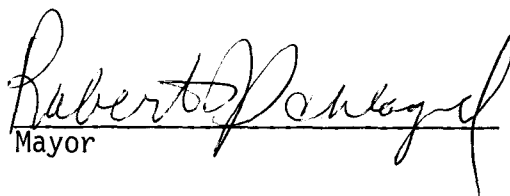
The special meeting of the Common Council of the City of Marshall was held on July 28, 1980. The meeting was called to order by Mayor Schlagel at 7:30 P.M. In addition to the Mayor the following members were present: Berre, Hirmer, Hoffman, Ritter, Rogalski and Purrington. Absent: none.

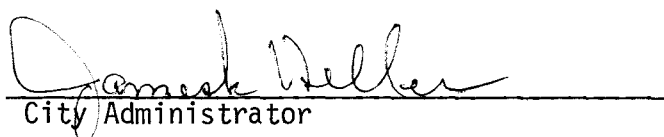
The City Administrator stated that the purpose of the meeting was to review and discuss the long term needs and goals of the police department with the Director of Public Safety, Garry Rick. Mr. Rick reviewed the existing personnel, equipment, records and training needs of the department. Mr. Rick presented a thorough discussion of the various tasks faced by the department and the various requirements that are necessary in order to satisfactorily address those tasks. Members of the council expressed their agreement with the direction and efforts of the staff in meeting the law enforcement and crime prevention needs of the City and expressed their support for the efforts of the police department. Mayor Schlagel moved, Berre seconded, a motion approving a supplemental appropriation of \$9,873 to the police department budget for operating expenses. Rogalski moved, Schlagel seconded, to amend the motion to increase the supplemental appropriation to \$16,405. All voted in favor of the amendment, except Hirmer and Hoffman who voted no. On the motion as amended all voted in favor, except Hoffman who voted no. Hirmer then moved to reconsider and lay on the minutes of the next meeting. Hoffman seconded,

Mr. Rick further presented the personnel needs of the department for the immediate foreseeable future which would include one new full time police officer which may later be reduced by attrition or other action of the Council; the addition of one new full time temporary position to assist in the records section; and the hiring of a records clerk to replace the present records clerk who expects to be resigning this fall. Additional data was requested for consideration at the next meeting regarding operating and personnel expenses.

The present status of the bike patrol program was discussed as to the expiration of the existing Governor's Youth Program funding. It was decided to retain two of the G.Y.P. funded positions until the next regular meeting of the Council, at which time additional funding would be considered.

Upon motion and second the meeting was adjourned.


Mayor


City Administrator

REGULAR MEETING - AUGUST 4, 1980

The regular meeting of the Common Council of the City of Marshall was held on August 4, 1980. The meeting was called to order by Mayor Schlagel at 7:30 P.M. In addition to the mayor the following members were present: Purrington, Ritter, Hirmer, Hoffman and Berre. Absent: Rogalski.

Purrington moved, Berre seconded, the approval of the minutes of the regular meeting of the Common Council held on July 21, 1980 as corrected and the approval of the minutes of the special meeting of July 28, 1980 as filed with each member and that the reading of the minutes be waived. All voted in favor of the motion.

A public hearing was held at this time on the proposed assessment for the installation of Bituminous Surfacing (Project No. BS 1979A) on Peterson Street from Sunrise Lane to Jewett Street. There were no affected property owners in attendance at this meeting. Hoffman moved, Hirmer seconded, the adoption of RESOLUTION NUMBER 406, SECOND SERIES and that the reading of the same be waived. Resolution Number 406, Second Series is a resolution approving the assessment roll for Bituminous Surfacing (Project No. BS 1979A) and setting the interest rate at 8% with payment over a period of 8 years. All voted in favor of the motion.

Bids were received, opened and read at this time for the service and shelter building at Justice Park as one project or as alternative bids for the service building and shelter building as separate projects. Bids received, opened and read for the service and shelter building as one project were as follows: Slagel & Wambeke, Inc., Marshall, Minnesota, \$18,300; SWesta Builders, Inc., Marshall, Minnesota, \$18,300; A & D Midwestern Builders, Marshall, Minnesota, \$28,530;

REGULAR MEETING - AUGUST 4, 1980 (CONT'D.)

Space Development Co., Marshall, Minnesota, \$19,000. Bids received for the service building as a separate project were as follows: Slagel & Wambeke, Inc., Marshall, Minnesota, \$14,335; SWesta Builders, Inc., Marshall, Minnesota, \$14,100; A & D Midwestern Builders, Marshall, Minnesota, \$21,525; and Space Development Co., Marshall, Minnesota, \$14,500. Bids received for the shelter building as a separate project were as follows: Slagel & Wambeke, Inc., Marshall, Minnesota, \$4,032; SWesta Builders, Inc., Marshall, Minnesota, \$4,200; A & D Midwestern Builders, Marshall, Minnesota, \$7,005; and Space Development Co., Marshall, Minnesota, \$4,990. Purrington moved, Schlagel seconded, the bid for the construction of the service building be awarded to SWesta Builders, Inc., Marshall, Minnesota, in the amount of \$14,100 and that the bid for the shelter building be awarded to Slagel & Wambeke, Inc., Marshall, Minnesota, in the amount of \$4,032. All voted in favor of the motion.

A bid was received, opened and read at this time from Bartz Excavating, Inc., Ivanhoe, Minnesota, in the amount of \$9,588.10 for the Storm Sewer Project No. STS 1980A, which is in the area of North 7th Street.

Hirmer moved, Hoffman seconded, the adoption of RESOLUTION NUMBER 407, SECOND SERIES, and that the reading of the same be waived. Resolution Number 407, Second Series is a resolution declaring the cost to be assessed and ordering preparation of proposed assessment and calling for a hearing on proposed assessment. This hearing has been set for September 2, 1980 for the proposed assessment for the construction and/or installation of the Storm Sewer System (Project No. STS 1980A) in the area of North 7th Street. All voted in favor of the motion.

A bid was received, opened and read at this time from McLaughlin & Schulz, Inc., Marshall, Minnesota, in the amount of \$4,085.70 for the Bituminous Surfacing (Project No. BS 1980B). This bituminous surfacing project is for North High Street from 6th Street to Elm Street.

Hirmer moved, Hoffman seconded, the adoption of RESOLUTION NUMBER 408, SECOND SERIES and that the reading of the same be waived. Resolution Number 408, Second Series is a resolution declaring cost to be assessed and ordering preparation of proposed assessment and calling for a hearing on proposed assessment. This hearing has been set for September 2, 1980 for the proposed assessment for the construction and/or installation of Bituminous Surfacing (Project No. BS 1980B) for North High Street from 6th Street to Elm Street. All voted in favor of the motion.

A bid was received, opened and read from McLaughlin & Schulz, Inc., Marshall, Minnesota, in the amount of \$22,585 for the 1980 Bituminous Overlay Projects. Hoffman moved, Ritter seconded, the bid for the 1980 Bituminous Overlay Project be awarded to McLaughlin & Schulz, Inc., Marshall, Minnesota, in the amount of \$22,585. All voted in favor of the motion.

At the regular meeting of the City Council held on July 21, 1980 a rezoning classification from R-1 to B-1 and from R-2 to B-2 at 432 Legion Field Road was denied. At the July 21, 1980 meeting of the City Council it was agreed that a conditional use permit could be granted if the proper conditions were worked out between the prospective buyer and the proper city personnel. Hirmer moved, Schlagel seconded, the following conditions be included in the conditional use permit for Mr. Michael Boedigheimer for the property located at 432 Legion Field Road. The conditions are: that the area to be included in the conditional use permit is a lot of 198 feet frontage by 132 feet depth abutting Legion Field Road; the existing 1854 square office building would be permitted to be expanded, remodeled, or rebuilt to a maximum 6000 square foot building of not more than 1 story in height; the land use for current and future use would be confined to business or professional office development; any future development would be required to conform to the performance standards for a B-1 Zoning District; advertising signs permitted would be 3' by 2' maximum size sign on the building and a 12 square foot front yard identification sign; it is to be understood that the existing buildings other than the office building (1 at 800 square feet and 1 at 513 square feet front lot and 1 at 2516 square feet rear lot) as presently located on the property to be purchased by Mr. Michael Boedigheimer would continue to be used at the present use as under the non-conforming 'grandfathered' provisions. All voted in favor of the motion.

Hirmer moved, Ritter seconded, the adoption of ORDINANCE NUMBER 74, SECOND SERIES and that the reading of the same be waived. Ordinance Number 74, Second Series is an ordinance amending certain sections of the City Code, Chapter 3, relating to domestic and waste charges. This ordinance would include May and October along with June, July, August and September for the summer sanitary sewer charges based on the average of January, February, March and April sewer charges. All voted in favor of the motion.

REGULAR MEETING - AUGUST 4, 1980 (CONT'D.)

A request had been made by the Sweet Adelines for the Senior Citizens Center in the basement of the Municipal Building for their practice location. Members from the Senior Citizens Center were not in favor of this request, since it would disrupt the on going activities in the center and that if the Sweet Adelines were allowed to use this facility then other non City groups would also request the use of this facility. Hoffman moved, Berre seconded, the request from the Sweet Adelines be denied. All voted in favor of the motion, except Hirmer who voted no.

At this time Councilperson Hirmer, called for the question to reconsider the supplemental appropriation of \$16,405 that was requested for the Police Department at the special meeting held on July 28, 1980. All voted in favor of the reconsideration. Hirmer moved, Schlagel seconded, to amend the motion to approve a supplemental appropriation from contingency to the police department account in the amount of \$15,772. All voted aye.

Mr. Burdell Wessels, insurance consultant with Corporate Risk Managers, was in attendance at the meeting to review with the City of Marshall its insurance coverage. Mr. Wessels discussed briefly the boiler coverage which related more to the Utilities Commission than the City of Marshall. It was the recommendation of the City Council that Mr. Wessels discuss the boiler coverage with Mr. Al Rome, superintendent of Marshall Municipal Utilities, and/or the Utilities Commission. Mr. Wessels also indicated to the council he would be in attendance at the Weiner Memorial Medical Center Board Meeting on August 11, 1980 to discuss their insurance coverage. Mr. Wessels discussed various options with the council that they agreed should be included in the receiving of quotations for insurance coverage. The options to be considered are: to insure 750,000 of business interruption on a 80% basis excluding ordinary payroll on the utility plant; under the general liability policy remove Exclusion c from personnal coverage; under the auto comprehensive coverage take a \$50 deductible; to increase the valuable papers and record coverage on the Municipal Building to \$50,000; and to increase the extra expense limit on the Municipal Building to \$25,000. Insurance proposal forms will be available at the City Clerk's Office by August 8, 1980 at which time the City Clerk's Office is to inform the local agents the availability of the proposal forms and if they have an interest in submitting a quotation the forms are available and are to be returned to the City Clerk's Office by September 15, 1980. Mr. Burdell Wessels also briefly reviewed with the council the workmen's compensation insurance. Mr. Wessels was requested to check into the feasibility of the City of Marshall going along with other cities for the pooling of workmen's compensation self insurance program.

The next item on the agenda was the discussion of procedures and approaches for the long range planning and growth of the City of Marshall. This item was deleted from the agenda since it was agreed upon at the regular meeting on July 21, 1980 that this be discussed at the City Council and Department Head Retreat on August 6, 1980.

Purrington moved, Hoffman seconded, a dance permit be granted to Jerry Gladis for a dance to be held at the National Guard Armory on Friday, September 5, 1980 between the hours of 9 P.M. and 12:00 P.M. Hirmer moved, Berre seconded, the motion be amended to include the approval of a dance permit for Patrick Egan for a dance to be held at the National Guard Armory on Friday, August 15, 1980 between the hours of 8:00 P.M. and 12:00 P.M. All voted in favor of the amendment, except Purrington and Schlagel who voted no. All voted in favor of the motion as amended, except Schlagel who voted no.

Mr. Patrick Leary on behalf of the Marshall Parks, Recreation and Community Education Board reviewed with the council a survey that was distributed to residents of the City of Marshall at random on the feasibility of an indoor sports and recreation facility. It was the request of the Marshall Parks, Recreation and Community Education Board that the council form a committee to further investigate the need, size, cost, use, location and etc., of a facility such as this for the City of Marshall. It was also the request of the board that the City of Marshall include in its budget for fiscal 1981 monies for the planning of such a facility. There was no action taken on this item at this time.

A letter was received from the City of St. Cloud requesting the City of Marshall's support in petitioning the Minnesota Department of Transportation to subsidize a bus line between Pipestone and Duluth along Highway No. 23. The City Council indicated it was in favor of this petition if they consider the possibility of extending the route to Sioux Falls, South Dakota, or if there were someother connections that they were making in Pipestone for a route to Sioux Falls, South Dakota.

Hoffman moved, Schlagel seconded, the proper city personnel be allowed to hire a 6 month part-time temporary records clerk for the records area of the Police Department and one full-time patrol man for a period of 12 months to assist in the Police Department along with a \$10,000 supplemental appropriation from contingency

REGULAR MEETING - AUGUST 4, 1980 (CONT'D.)

to the police department to finance these two positions for the remainder of fiscal year 1980. All voted in favor of the motion.

A letter was received from Paul Stoneberg, attorney for McLaughlin and Schulz, Inc., and Koch Asphalt Co., in regard to the plotting of the 2.5 acres McLaughlin & Schulz, Inc., is considering to sell to Koch Asphalt Co. This property is located within the 32.57 acres of land owned by McLaughlin & Schulz, Inc., which is situated North of the Diversion Channel, bound on the West by the railroad tracks and on the right by the township road. Mr. Stoneberg is requesting that the requirements for the plotting of this property under Chapter 12 of the City Code be waived. Hirmer moved, Schlagel seconded, the request for the waiving of the plotting requirements under Chapter 12 of the City Code be denied. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, and it was unanimously approved that the following bills be authorized for payment: GENERAL FUND, Voucher No. 68760 through 68851; WASTEWATER FACILITIES FUND, Voucher No. 1889 through 1903; LIQUOR FUND, Voucher No. 26130 through 26160; REVENUE SHARING FUND, Voucher No. 179; DEBT SERVICE, Voucher No. 1524 through 1526; PARKING SYSTEM FUND, Voucher No. 2340 through 2344; SPECIAL ASSESSMENTS FUND, Voucher No. 78 through 81.

The following building permits previously approved by the City Engineer were confirmed:

John Tutt, Marshall
1304 Horizon Drive
Sunrise Addition, Block 6, Lot 3
deck, \$800

Claire Sorbel, Marshall
702 Erie Road
Industrial Park I, Block 4, Lot 2
Office, shop, bathroom, \$25,000

Slagel & Wambeke, Marshall
904 Hackberry Drive
Southview Subdivision, Block 1,
Lot 6, 7, and 8
refinish apartment, \$2,000

Lyman Winge, Marshall
1405 Parkside Drive
McFarland Addition, Block 3, Lot 3
unattached garage, \$3,000

Bladholm & Hess, Marshall
305 West Lyon Street
Original Plat, Block 9, Lot 4
interior remodeling, \$137,000

Mrs. Gerald Bue, Marshall
100 South Whitney
Morningside Heights Addition,
Block 1, Lot 1
unattached double garage, \$2,000

Slagel & Wambeke, Marshall
1404 Westwood Drive
Westwood Acres I, Block 1, Lot 12
addition to residence, \$6,500

Geske Building, Marshall
313 North Hill Street
Schultz Addition, Block 3, Lot 6
Reside residence, \$3,625

Purrington moved, Hirmer seconded, the approval of a side variance of 2' which is closer than the 5' required by City Ordinance be approved for Mrs. Gerald Bue of 100 South Whitney Street to construct a unattached double garage. All voted in favor of the motion.

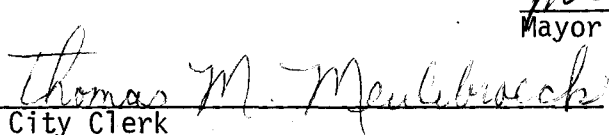
Councilperson Hirmer, indicated to the council that he had correspondence with the Regional Development Commission and the Minnesota Department of Transportation in regard to the Chicago-Northwestern Railroad. He was informed that a shippers organization should be formed to either purchase or acquire the right-of-way of the Chicago-Northwestern Railroad.

The City Administrator informed the council that he had received a resignation from Bonnie Babcock as Chairman of the Park, Recreation and Community Education Board. The City Administrator was allowed to readvertise for applicants for the position on the Parks, Recreation and Community Education Board.

Upon motion made by Schlagel, seconded by Hirmer, the meeting was adjourned. All voted aye.


Mayor

ATTEST:


City Clerk

REGULAR MEETING - AUGUST 18, 1980

The regular meeting of the Common Council of the City of Marshall was held on August 18, 1980. The meeting was called to order by Mayor Schlagel at 7:30 P.M. In addition to the mayor the following members were present: Purrington, Ritter, Hirmer, Hoffman, Rogalski, and Berre. Absent: none.

Berre moved, Purrington seconded, the approval of the minutes of the regular meeting of the Common Council held on August 4, 1980 as filed with each member and that the reading of the minutes be waived. All voted in favor of the motion.

Bids were received, opened and read at this time for the construction of grease removal facilities at the main lift station and for the installation of grit removal facilities at the Wastewater Treatment Plant. Bids received, opened and read were as follows: Bisbee Plumbing & Heating, Marshall, Minnesota, \$223,800; Robert L. Carr & Co., Marshall, Minnesota, \$244,700; Gridor Construction Co., Plymouth, Minnesota, \$230,400; Northwest Mechanical, Long Lake, Minnesota, \$253,500; and Orvedahl Construction Inc., Minneapolis, Minnesota, \$255,400. Jim Roth and Don Lund, Consulting Engineers from Short-Elliott-Hendrickson were in attendance at the meeting to review and analyze the bids received. The type of equipment included in the low bid from Bisbee Plumbing & Heating was unknown to the consulting engineers therefore, Schlagel moved, Hirmer seconded, the award of the bids be postponed to give the consulting engineers time to review the brand of equipment. All voted aye.

Upon recommendation of the Planning Commission, Berre moved, Schlagel seconded, a one year conditional use permit be granted to Mr. Frank Stephens of 410 East Main Street for a home occupation consisting of a photography studio. All voted in favor of the motion.

Upon recommendation of the Planning Commission, Hirmer moved, Schlagel seconded, the introduction of an ordinance to rezone property from R-2 to B-1 at 209 West Marshall Street. Ms. Ann LaPorte is requesting this property be rezoned to construct a professional office building at this location. Ms. LaPorte advised the council that in case she would need to expand the building it may be necessary to eliminate parking as included on her proposed plan. All voted in favor of the motion.

Upon recommendation of the Planning Commission, Hirmer moved, Ritter seconded, the request from V.P.&C. Partnership to revise the Camelot Square mobile home conditional use permit by increasing the number of allowable units owned and/or rented by one person or corporation from 10% to 25% be approved. All voted in favor of the motion.

Schlagel moved, Ritter seconded, the approval of a supplemental appropriation in the amount of \$1,500 from contingency to the park maintenance account. This \$1,500 is to spray the weeds, disc and pay for the seed to reseed Justice Park. All voted in favor of the motion, except Hirmer who voted no.

Hirmer moved, Rogalski seconded, the approval of a supplemental appropriation of \$3,000 from contingency to park maintenance and development account for the installation of the bi-centennial bridge at Justice Park. The \$3,000 is to be used to purchase additional materials for the 20 foot extension on each end of the bridge. The labor and installation costs will be provided by the public works department. The bridge will be installed by the public works department at their convenience. All voted in favor of the motion.

Purrington moved, Berre seconded, the proper city personnel be allowed to enter into an agreement with the State Planning Agency for a land use planning grant in the amount of \$6,000 for the development of a comprehensive plan as per Minnesota Statutes 4.21 to 4.31. All voted in favor of the motion.

At this time a discussion was held on the possible changes in the City Charter which would be recommended for Charter Commission consideration. Mr. Ron Jensen, Administrator of the Weiner Memorial Medical Center was in attendance at the meeting and expressed his concern in regard to the revisions in the City Charter. His primary concern was that the hospital retain fiscal year end of September 30 to correspond with other hospital agencies. Mr. Brian Murphy, City Attorney was directed by the City Council to draft a proposal for the Charter Commission recommending the following charter changes: the fiscal year be changed from October 1 to January 1; the title of City Clerk; the adoption of the budget to adjust to the January 1 fiscal year mandated by the State Legislature; to increase the minimum amount which would require bidding from \$5,000 to \$10,000; the date the council is to meet for the installation of new members; and that he investigate the area of authority of the City Administrator.

REGULAR MEETING - AUGUST 18, 1980 (CONT'D.)

Purrington moved, Schlagel seconded, the employees group insurance policies be approved for renewal with Equitable Life (life insurance), Blue Cross and Blue Shield (health and medical insurance), and Delta Dental for a period of 16 months to coincide with the fiscal year of the city. The rates for these policies will remain the same, except for Equitable Life Assurance which will increase employee life insurance rates from 68¢ to 83¢ per 1,000 of coverage and dependant life insurance coverage from 49¢ to 60¢ per 1,000 of coverage. All voted in favor of the motion.

Hirmer moved, Ritter seconded, the adoption of RESOLUTION NUMBER 409, SECOND SERIES and that the reading of the same be waived. Resolution Number 409, Second Series is a resolution declaring cost to be assessed, ordering preparation of proposed assessment and calling for a hearing on proposed assessment. This hearing has been set for September 15, 1980 for the proposed assessment for the construction and/or installation of Street Grading, Gravel Base, Bituminous Surfacing, and Curb & Gutter, Project No. MSA 139-120-02 for North Bruce Street from Boxelder Street to Fairview Street. All voted in favor of the motion.

Purrington moved, Hirmer seconded, the introduction of an ordinance to vacate a utility easement between Lots 9, 10, and 11 in Soucy Addition. Mr. John Felton of 623 Soucy Drive is requesting this utility easement to construct a garage on Lot 11. A public hearing to vacate this utility easement has been set for September 2, 1980. All voted in favor of the motion.

A discussion was held at this time on the use of pool cars and personnel vehicles for city business. The Council discussed various options: purchasing additional cars for the car pool; leasing one or more vehicles for the car pool; or paying an auto allowance for the use of personnel vehicles to solve the shortage of motor pool cars for city personnel. Purrington moved, Ritter seconded, the car to be traded in for the new 1980 Buick Lawman LeSabre police car be repurchased from Tholen's and retained in the motor pool and that the proper city personnel be allowed to advertise for bids for another pool car. Purrington voted in favor of the motion. Ritter, Hirmer, Schlagel, Hoffman, Rogalski, and Berre voted no. Purrington moved, Schlagel seconded, the vehicle that is being traded in on the 1980 Buick Lawman LeSabre be repurchased from Tholen's and retained for the motor pool. All voted in favor of the motion, except Hirmer who voted no.

A brief discussion was held at this time on the City Council - City of Marshall staff retreat that was held at Lake Shetek. It was the general consensus of the City Council that they would like some reaction from the City of Marshall staff as to what action they would like taken at this time.

Councilperson, Purrington who is a member of the Ways and Means Committee indicated to the council that he had meet with the Downtown Association and that they had reached a consensus on the amount to be charged to the various tenants, landlords and etc., for the maintenance of the downtown parking lots and they are attempting to draw a petition for the tenants, landlords and other people to sign who would be affected by the assessment and to see how much cooperation they will be receiving from these people.

Schlagel moved, Hirmer seconded, the next regular City Council meeting be held on September 2, 1980 because of Labor Day. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, and it was unanimously approved that the following bills be authorized for payment: LIQUOR FUND, Voucher No. 26161 through 26178; DEBT SERVICE FUND, Voucher No. 1527; PARKING SYSTEM FUND, Voucher No. 2345 through 2353; WASTEWATER FACILITIES FUND, Voucher No. 1904 through 1928; REVENUE SHARING FUND, Voucher No. 180 through 181; SPECIAL ASSESSMENT FUND, Voucher No. 82 through 84; and GENERAL FUND, Voucher No. 68852 through 69034.

The following building permits previously approved by the City Engineer were confirmed:

Ron Velde, Marshall
105 South Whitney St.
Blakes Addition, Block 7, Lot 1
remodeling & enlarge bathroom
and install window, \$1,000

Richard Barnes, Marshall
1102 Cheryl Avenue
7th Add. to Eatros Place,
Block 1, Lot 6
garage foundation, \$500

Luther Hammond, Marshall
700 West College Drive
Legion Field Division, Lot 15 & 16
utility building, \$400

Allen Kruse, Marshall
404 Jewett Street
McFarland's 2nd Add., Block 3, Lot 6
attached double garage, \$1,600

REGULAR MEETING - AUGUST 18, 1980 (CONT'D.)

Mark Almich, Marshall
1318 Horizon Drive
Sunrise Park Add., Block 6, Lot 10
attached double & ½ garage and entry
\$7,400

James Archbold, Marshall
903 East Southview Drive
Section 9, Quarter NE¼
free standing sign, \$0

Leo Boeck, Marshall
702 South 2nd Street
Nielsen's 5th Add., Block 1, Lot 7
addition on garage, \$2,000

Alan Greig & Norman Gregerson, Albany
430 West Main Street
Original Plat, Block 8, Lot 16 and
Part of 17,
remodel front of store, \$600

Bruce Olson, Marshall
706 North 4th Street
Roggeman's Addition, Lot 4
deck, \$2,000

Roy B. Elvidge, Marshall
307 North 6th Street
Stewart & Jenkins Addition,
Block 4, Lot Part of 17 & 18
carport, \$700

Don Klein, Ghent
802 South 1st Street
Nielsen's 7th Addition
Block 4, Lot 9
dwelling, \$47,000

Doom & Cuypers, Inc. Marshall
711 Nuese Lane
Nuese 2nd Add., Block 2, Lot 4
dwelling, \$70,000

Douglas DeMuth, Marshall
502 Pleasant Street
Eastmans Add., Block 2, Lot 5
addition to house and attached
single garage, \$15,000

Geske Building, Marshall
204 South Whitney
Morningside Heights Add., Block 1, Lot 8
reside residence, \$2,170

Jay L. Ohlsen, Marshall
301 North 3rd Street
Original Plat, Block 20, Lot 10
office addition, \$17,500

Dale A. Howe, Marshall
402 Charles Avenue
Morningside Heights Addition, Block 5,
Lot 2, replace front door, \$500

Walt Schroeder, Marshall
108 South 5th Street
Original Plat, Block 6, Lot Part of 20
apartment building, 2 units, \$41,700

J. D. Waller, Marshall
812 Boxelder Street
Schutz Addition, Block 3, Lot 5
screened-in patio, \$1,480

Melvin & Aloma Coudron, Marshall
105 Spruce Lane
Village Park, Reside residence
\$1,500

Walt Schroeder, Marshall
108 South 5th Street
Original Plat, Block 6, Lot Part of 20
footings for future apartment building
\$1,840

Mike Schroeder, Marshall
1006 Silvervine Drive
Southview 2 Subdivision, Block 3, Lot 12
Dwelling, \$40,000

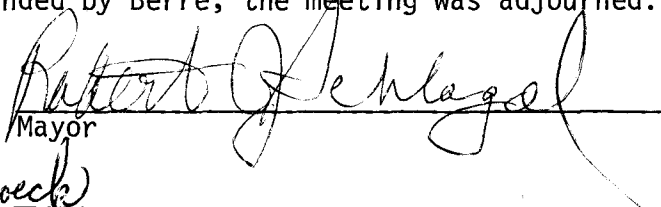
Taylor's Inc., Marshall
1100 Birch Street
Krueger Addition, Block 1, Lot 1
dwelling - 3 plex
\$88,000

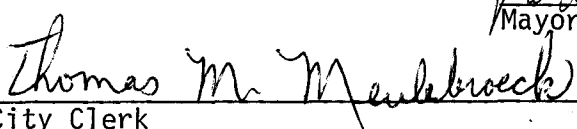
Hirmer moved, Berre seconded, the approval of a rear yard variance of 5 feet which is closer than the 15 feet required by City Ordinance be approved for Mr. Luther Hammond of 700 West College Drive to construct a utility building. All voted in favor of the motion.

Mr. Brian Murphy, City Attorney discussed with the council the airport property that was being leased by Peter Geurts who died. Hoffman moved, Hirmer seconded, that Mr. Brian Murphy and Mr. Duane Aden be appointed to administer the legal requirements on the property leased by Geurts and that if necessary a lien be placed on this property. All voted in favor of the motion.

The Personnel Committee set a meeting for August 25, 1980 at 12 noon at the Hanging Forest to discuss a salary survey that was taken and as to what direction they would like to take in regard to personnel matters.

Upon motion made by Schlagel, seconded by Berre, the meeting was adjourned. All voted in favor of the motion.


Mayor

ATTEST: 
City Clerk

REGULAR MEETING - SEPTEMBER 2, 1980

The regular meeting of the Common Council of the City of Marshall was held on September 2, 1980. The meeting was called to order by Mayor Schlagel at 7:35 P.M. In addition to the Mayor the following members were present: Purrington, Ritter, Hirmer, Hoffman, Rogalski, and Berre. Absent: none.

Hirmer moved, Hoffman seconded, the approval of the minutes of the regular meeting of the Common Council held on August 18, 1980 as filed with each member and that the reading of the minutes be waived. All voted in favor of the motion.

A public hearing was held at this time on the Bituminous Surfacing Project (Project No. BS 1980B) for High Street from North 6th Street to Elm Street. With no adjustments or corrections, Hirmer moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 410, SECOND SERIES and that the reading of the same be waived. Resolution Number 410, Second Series is a resolution approving the assessment roll for Project No. BS 1980B and setting the interest rate at 9% with payment over a period of 8 years. Interest will be effective October 6, 1980 if the assessment is not paid by then. All voted in favor of the motion.

The next public hearing was on the Storm Sewer Project (Project No. STS 1980A) in the area of North 7th Street. Mr. Aden, City Engineer, informed the council that the following factors were considered in determining the amount to be assessed to the property owners in the area: topography; wet basement potentials; foundation soil; mosquito nuisance; land use - existing and potential contribution to the problem; reduction in fill requirements; frontage, depth, property shape and access to various pieces of property; and equality of assessment. With no adjustments or corrections, Hoffman moved, Purrington seconded, the adoption of RESOLUTION NUMBER 411, SECOND SERIES and that the reading of the same be waived. Resolution Number 411, Second Series is a resolution approving the assessment roll for Project No. STS 1980A and setting the interest rate at 9% with payment over a period of 8 years. Interest will be effective October 6, 1980 if the assessment is not paid by then. All voted in favor of the motion.

A public hearing was held on the vacating of a utility easement between lots 9, 10 and 11 in Soucy Addition. There were no affected property owners in this area at the meeting. Purrington moved, Ritter seconded, the adoption of ORDINANCE NUMBER 75, SECOND SERIES and that the reading of the same be waived. Ordinance Number 75, Second Series is an ordinance vacating a utility easement in the City of Marshall between lots 9, 10 and 11 in Soucy Addition. All voted in favor of the motion.

Hirmer moved, Purrington seconded, the adoption of ORDINANCE NUMBER 76, SECOND SERIES and that the reading of the same be waived. Ordinance Number 76, Second Series is an ordinance rezoning property from R-2 to B-1 at 209 West Marshall Street. This property is being rezoned to construct a professional office building. All voted in favor of the motion.

At the regular meeting held on August 18, 1980 bids were received, opened and read for the construction of grease removal facilities at the main lift station and for the installation of grit removal facilities at the Wastewater Treatment Plant. The awarding of the bids was postponed at the August 18, 1980 meeting to give the consulting engineers time to review the low bid received from Bisbee Plumbing and Heating of Marshall, Minnesota. Since the opening of the bids Bisbee Plumbing and Heating has agreed to use the specified equipment with no change in the contract amount. Hirmer moved, Schlagel seconded, the bid be awarded to Bisbee Plumbing and Heating of Marshall, Minnesota in the amount of \$223,800 for the construction of the grit and grease removal facilities at the Marshall Wastewater Treatment Facility. All voted in favor of the motion.

Upon recommendation by the Council, the City Attorney presented a draft of the miscellaneous revisions in the Charter to be forwarded to the Charter Commission for their approval. Schlagel moved, Berre seconded, the following miscellaneous revisions in the City Charter be recommended to the Charter Commission for their consideration: newly elected members assume duty at the first regular meeting in December; the bid limitations be changed to comply with Minnesota State Statutes; the fiscal year is to be determined by the State Statutes in effect at that time; the adoption of the budget be set for the first regular meeting in October. Ron Jensen, administrator, was concerned about section 6.05 of the draft as it relates to the hospital. Members of the council raised some questions on section 13 as it relates to the governing of the municipal utilities. All voted in favor of the motion.

Hoffman moved, Hirmer seconded, the proper city officials be allowed to advertise for 250 (with a 10% variation) trees for the 1980 Fall Tree Planting Program. These bids are to be received September 15, 1980. All voted in favor of the motion.

REGULAR MEETING - SEPTEMBER 2, 1980 (CONT'D.)

The council discussed the possibility of forming a tree farm to expand the tree program to offset possible future cut backs in state aid to cities for Dutch Elm Disease losses. Purrington moved, Rogalski seconded, the possibility of a tree farm or nursery be referred to the Park, Recreation and Community Education Board. All voted in favor of the motion.

Purrington moved, Schlagel seconded, the City of Marshall be allowed to act as the fiscal agent in accepting a grant from SMACH for the Prairie Arts Chorale Program in the amount of \$11,621. These funds are for the Prairie Arts Chorale Program through the month of April, 1981. All voted in favor of the motion.

Hirmer moved, Berre seconded, the proper city officials be allowed to advertise for bids for the 125 foot bituminous extension to the back of the parking lot at the Marshall Municipal Liquor Store. This parking lot extension would be compatible with any future plan of building expansion at this location. The bids are to be received at the regular meeting on September 15, 1980. All voted in favor of the motion.

Schlagel moved, Hoffman seconded, Tom Halbach be appointed to the Parks, Recreation and Community Education Board for a term to expire February 28, 1982, the vacancy created by the resignation of Bonnie Babcock. All voted in favor of the motion, except Hirmer who voted no.

Hirmer moved, Schlagel seconded, Don McLaughlin be appointed to the Hospital Board for a term to expire May 31, 1984 which vacancy was created by the resignation of Ted Radzialowski. All voted in favor of the motion.

City Administrator Jim Heller discussed with the council at this time budget requests for fiscal year 1981. The Ways and Means Committee set a meeting for September 8, 1980 to begin reviewing the 1981 budget requests.

Hirmer moved, Schlagel seconded, and it was unanimously approved that the following bills be authorized for payment: GENERAL FUND, Voucher No. 69035 through 69128; PARKING SYSTEM FUND, Voucher No. 2345 through 2360; SPECIAL ASSESSMENT FUND, Voucher No. 85 through 87; REVENUE SHARING FUND, Voucher No. 182 through 184; WASTEWATER FACILITIES FUND, Voucher No. 1929 through 1954; LIQUOR FUND, Voucher No. 26179 through 26208.

The following building permits and mobile home permits previously approved by the City Engineer were confirmed:

Victor Kesteloot, Marshall
1307 Horizon Drive
Sunrise Addition, Block 5, Lot 11
Dwelling, \$50,000

Minn. Dept. of Transp., Marshall
East Highway No. 19
Section 2, Part of SW $\frac{1}{4}$
Storage building, \$8,000

Bladholm and Hess, Marshall
208 West College Drive
Blakes Addition, Block 5
Remodel front of store, \$13,767

Michael Fierstine, Marshall
113 Lilac Drive
Village Park
Addition to mobile home, \$800

John Paxton, Marshall
123 East Main Street
G. E. Carlin's Subdivision, Lot 6
Free standing sign, \$0

Harold F. Meyer, Sr., Marshall
115 Lilac Drive
Village Park
Garage, \$1,400

Alfred VanOverbeke, Marshall
203 Gray Place
Nielsen's 5th Addition, Block 2, Lot 6
Storage Building, \$500

Roy Odens, Marshall
1102 Birch Street
Kruegers Addition, Block 1, Lot 2
ex. W'ly 7' & W'ly of 7' of Lot 3
Duplex, \$50,000

Roger DeMuth, Marshall
502 Kossuth Street
Northland Addition, Lot 9
Attached garage, \$2,500

Bladholm and Hess, Marshall
308 North 3rd Street
Original Plat, Block 21, Part of Lot 5
Office Building, \$40,000

McDonald's Corporation, Marshall
1200 East College Drive
Section 3, Part of the SW $\frac{1}{4}$
Addition to restaurant, \$17,000

Trollwork, Const., Marshall
102 South "H" Street
Section 9, NE $\frac{1}{4}$
Reside, replace windows, 2 doors, \$4,000

REGULAR MEETING - SEPTEMBER 2, 1980 (CONT'D.)

Thomas & Susan Morin
1274 Avalon
Installation of mobile home

Thomas E. VanPutten, Marshall
114 Kathryn Avenue
Nielsen's 8th Addition, Block 1, Lot 1
Screen porch & utility building, \$850

Hirmer moved, Schlagel seconded, the approval of a rear yard variance of 6' which is closer than the 15' required by City Ordinance be approved for Thomas VanPutten of 114 Kathryn Avenue to construct a utility building. All voted in favor of the motion.

Councilperson Ritter requested the City Engineer to investigate the possibility of installing a stop sign at the corner of 5th Street and Elm Street.

Councilperson Rogalski questioned whether anything was being done about the abandoned vehicles and the accumulation of the other debris in the area of Legion Field Road. Mr. Aden, City Engineer, indicated to Councilperson Rogalski he had spoken with the property owner and that the property owner would be doing something about it in the fall of 1980.

Purrington moved, Hoffman seconded, the approval of a transient merchants license for Cindy Mae Studios be added to the agenda. All voted aye.

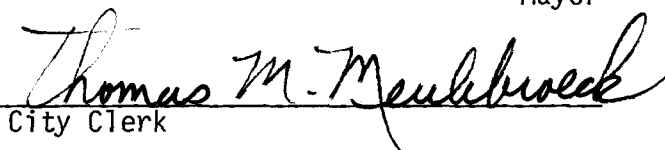
Hoffman moved, Hirmer seconded, a transient merchants license be granted to Cindy Mae Studios of St. Paul to take pictures at Wee Moderns. This transient merchants license was granted provided it met the requirements of the City Ordinance. All voted in favor of the motion, except Schlagel and Rogalski who voted no.

The councilmembers were in receipt of a letter from the League of Municipalities in regard to the construction of a building for the League of Minnesota Cities employees. It was the general consensus of the council that if they are going to be assessed for the building they would like to make a lump sum payment rather than being assessed a payment over a number of years.

Upon motion made by Schlagel, seconded by Hirmer, the meeting was adjourned. All voted in favor of the motion.


Mayor

ATTEST:


City Clerk

REGULAR MEETING - SEPTEMBER 15, 1980

The regular meeting of the Common Council of the City of Marshall was held on September 15, 1980. The meeting was called to order by Mayor Schlagel at 7:30 P.M. In addition to the Mayor the following members were present: Purrington, Ritter, Hoffman, Rogalski and Berre. Absent: Hirmer.

Berre moved, Ritter seconded, the approval of the minutes of the regular meeting of the Common Council held on September 2, 1980 as filed with each member and that the reading of the minutes be waived. All voted in favor of the motion.

A public hearing was held at this time on the construction and/or installation of Street Grading, Gravel Base, Bituminous Surfacing and Curb & Gutter (Project No. MAS 139-120-02) for North Bruce Street from Boxelder Street to Fairview Street. With no adjustments or corrections, Hoffman moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 412, SECOND SERIES and that the reading of the same be waived. Resolution Number 412, Second Series is a resolution approving the assessment roll for Project No. MSA 139-120-02 and setting the interest rate at 8% with payment over a period of 8 years. Interest will be effective October 16, 1980 if the assessment is not paid by then. All voted in favor of the motion.

Be it noted the arrival of Councilperson Hirmer.

Bids were received, opened and read at 1:30 P.M. on Monday, September 15, 1980 for workmen's compensation, general liability and property insurance. The bids were as follows:

	SIMONS & GREGOIRE HOME	HOME/SAFETY	WESTERN STATE	ARKWRIGHT BOSTON	MILLARD EHLERS
Property	23,249	21,874	21,336		
Sign	85	85	80		
Extra Exp.	20	20	75		
Valuable Papers	39	39	530		
Inland Marine	2,460	2,460	656		
General Liab. (*300,000) (*1-500,000)	21,773*	19,613	13,278*1		
Liquor Liab	6,156	5,689	5,561 (Fred S. James)		
Crime	<u>2,441</u> 56,223	<u>2,441</u> 52,221	<u>2,549</u> 44,065		
Boiler	13,912	13,912	-----	7,296	
Auto - Liab.	9,152	8,920	6,764		
Comprehensive	1,456	1,456	2,026		
Collision	<u>2,714</u> 13,322	<u>2,714</u> 13,090	<u>3,617</u> 12,407		
Airport	3,279	3,279	3,078		
Public Officials	<u>5,674</u> 92,410	<u>5,674</u> 88,176	<u>3,499</u> 63,049	<u>7,296</u>	
Workmen's Comp.	-----	65,071	60,702		65,044
Umbrella	8,800	8,800	7,950	5,000	

Mr. Burdell Wessels, insurance consultant, reviewed the bids and made the following recommendations: general liability and property insurance be awarded to Western State Insurance Agency; boiler and machinery insurance be awarded to Arkwright Boston; workmen's compensation be awarded to Millard Ehlers Insurance Agency; and liquor liability insurance to Fred S. James Company with the liquor liability being increased from 250/300/300 to 250/500/500. Hoffman moved, Purrington seconded, the bid for general liability and property insurance which includes a \$1,000,000.00 umbrella policy be awarded to Western State Insurance Agency; the liquor liability which is to be increased from 250/300/300 to 250/500/500 be awarded to Fred S. James Company, and the boiler and machinery insurance be awarded to Arkwright Boston. These bids were approved with the understanding that concurrent approval is received from the Marshall Municipal Utilities Commission and the Marshall-Lyon County Library Board. All voted in favor of the motion.

Hoffman moved, Berre seconded, the bid for workmen's compensation insurance be awarded to Millard Ehlers Insurance Agency with concurrent approval from the Marshall Municipal Utilities Commission and the Marshall-Lyon County Library Board. All voted in favor of the motion.

REGULAR MEETING - SEPTEMBER 15, 1980 (CONT'D.)

A bid was received, opened and read at this time for the construction of a 125' bituminous extension to the existing bituminous parking lot at the Marshall Municipal Liquor Store. The bid received was from McLaughlin & Schulz of Marshall, Minnesota in the amount of \$7,369.50. Hoffman moved, Schlagel seconded, the bid be awarded to McLaughlin & Schulz of Marshall, Minnesota in the amount of \$7,369.50. All voted aye.

Bids were received, opened and read at this time for the 1980 Fall Tree Planting Program. Bids received were as follows: Clark's Nursery, Marshall, Minnesota in the amount of \$9,187.50 with an add alternative for staking in the amount of \$1,250; Bofferding's Nursery, Marshall, Minnesota in the amount of \$9,365 with an add alternative for staking of \$1,125; Lakeland Nursery, Willmar, Minnesota in the amount of \$13,050 with an add alternative for staking in the amount of \$1,375. Purrington moved, Ritter seconded, the bid be awarded to Clark's Nursery in the amount of \$9,187.50 for 250 potted trees for the 1980 Fall Tree Planting Program. All voted in favor of the motion.

Hoffman moved, Berre seconded, property owners wishing to purchase trees for the 1980 Fall Tree Planting Program be assessed \$18.00 per tree. All voted in favor of the motion.

At the regular meeting of the City Council held on September 2, 1980 the City Council requested the Parks, Recreation and Community Education Board discuss the feasibility of starting a tree farm or nursery. The Parks, Recreation and Community Education Board recommended the City consider the feasibility of starting a tree nursery but were concerned about the location, cost and time for maintenance, the lateness of the year to plant these trees and would the City have a place to transplant these trees when the trees were ready to be moved. Mr. Chuck Bofferding from Bofferding's Nursery thought it was unfair to start a tree farm or nursery since selling trees provides a living for the individuals in the nursery business and that if they did start a tree farm many of these trees if not properly cared for would not be able to be replanted.

Upon recommendation of the Planning Commission, Purrington moved, Hirmer seconded, a home occupation conditional use permit be granted to Susan Potter of 1507 Westwood Drive for a period of 5 years for conducting music lessons. This permit maybe reviewed anytime during this period. All voted in favor of the motion.

Mr. Willard Engel, manager of the Lyon County Coop was in attendance at the meeting to discuss with the council the introduction of an ordinance to rezone property for the Lyon County Coop from B-2 to I-2. 6 acres at this site was requested to be rezoned at the July 21, 1980 meeting and was denied at that time. Lyon County Coop is requesting 2.75 acres be rezoned at this time. Mr. Willard Engels indicated to the Council that Lyon County Coop is concerned about the economics of having their facility at one location and the safety involved with their vehicles passing through the City of Marshall to get to their bulk tank facility in the Industrial Park. Councilperson Berre indicated to the council that there are several items that have not been answered since the previous request: the safety involved with the by-pass; the safety of the residents of Village Park; and spot zoning which is not good planning. Mr. Lee Doering from the Industries Foundation indicated to the Council that they would support the moving of the bulk facility in the industrial park since it prohibits the expansion of nearby Ralco Industry. Mr. Ed Scheele, Fire Chief, indicated the fire department was in support of Lyon County Coops decision to move the bulk tanks. Mr. John Sawchak, a resident from Village Park, felt the safety of the residents in that area was not being addressed. He was concerned about who the fire department would respond to in case of a fire whether it would be the bulk plant or the Village Park and he also felt that the rezoning would affect the resale of the trailers in the court. Mr. Ed Scheele indicated to Mr. Sawchak the fire departments prime concern is lives rather than buildings. It was mentioned at this time that the property between the rail-roak tracks and the park is owned by Mr. David Taylor. Ms. Judy Plank, a resident of Village Park, was concerned about the intention of Mr. Taylor for the area he owns and that if it was a residential area she was concerned about the safety of those residents as well. Mr. George Abrahamsen, a long time employee of the Lyon County Coop, was in support of the idea of moving the bulk tanks and that they would be build under the OSHA requirements. Hoffman moved, Ritter seconded, the introduction of an ordinance to rezone an area 175' by 200' from B-2 to I-2 by Lyon County Coop for fuel storage tanks with the exact legal description being provided in the ordinance. All voted in favor of the motion, except Berre and Hirmer who voted no.

Hoffman moved, Ritter seconded, the introduction of an ordinance to rezone 150' by 100' from B-2 to I-1 at the Lyon County Coop for a warehouse with the legal description being provided in the ordinance. All voted in favor of the motion, except Hirmer who voted no.

REGULAR MEETING - SEPTEMBER 15, 1980 (CONT'D.)

A petition was received at this time from the Central Business District requesting the removal of downtown parking lot meters. Approximately 37% of the owners plus many tenants have signed this petition. Hirmer moved, Purrington seconded, the adoption of RESOLUTION NUMBER 413, SECOND SERIES and that the reading of the same be waived. Resolution Number 413, Second Series is a resolution declaring the adequacy of the petition and calling for a feasibility report and a public hearing. The public hearing has been set for October 6, 1980 at 7:30 P.M. All voted in favor of the motion.

Hirmer moved, Berre seconded, the approval of the annual bingo licenses for the Holy Redeemer Parish, VFW Post #742, and Faternal Order of Eagles (AERIE #3405). These licenses are for the year October 1, 1980 through September 30, 1981. These licenses have an annual fee of \$25.00. All voted in favor of the motion.

Hirmer moved, Purrington seconded, a transient merchants license be granted to DeSpain Portrait Services from Milfork, Iowa, who will be operating at the Hy-Vee Food Store. DeSpain Portrait Services has paid the license fee and bond and does meet the requirements of the ordinance. All voted in favor of the motion, except Schlagel and Rogalski who voted no.

A request was received at this time for an on-sale beer license from the Racquetball of Marshall located at 700 North 7th Street. According to the ordinance it states that a license shall be granted only to bonafide clubs, beer stores, drug stores, restuarants and hotels where food is prepared and served for consumption on the premises, therefore, Purrington moved, Berre seconded, the on-sale beer license be referred to the Ordinance and Legislative Committee to review the requirements for an on-sale beer license. All voted in favor of the motion.

Upon recommendation of the Ordinance and Legislative Committee, Berre moved, Hirmer seconded, the introduction of an ordinance eliminating the established City Fire Zones. The Ordinance and Legislative Committee recommended this ordinance since there is no functional use for fire zones according to the new building code. All voted in favor of the motion.

Upon recommendation of the Ordinance and Legislative Committee, Hirmer moved, Hoffman seconded, the adoption of RESOLUTION NUMBER 414, SECOND SERIES and that the reading of the same be waived. Resolution Number 414, Second Series is a resolution providing for the installation of signs indicating limited parking and no parking areas. This resolution will remove the no parking sign in Marshall on the North side of McLaughlin Drive from State Street to Market Street and will have installed a no parking sign from 1 A.M. to 7 A.M. along the same street. All voted in favor of the motion.

Upon recommendation of the Ordinance and Legislative Committee, Berre moved, Schlagel seconded, the introduction of an ordinance amending certain sections of the City Code, Chapter 9. According to this ordinance it is unlawful for any person to leave or park between the hours of 10 P.M. and 6 A.M. on or within the limits of any street in any residential area any of the following: house trailer, bus, recreational vehicle, trailer, tractor, other farm equipment, semi tractor, and any truck over 84" in width. All voted in favor of the motion.

Hirmer moved, Ritter seconded, the adoption of RESOLUTION NUMBER 415, SECOND SERIES and that the reading of the same be waived. Resolution Number 415, Second Series is a resolution approving the final plat for McLaughlin & Schulz Addition. There was no public hearing held on the adoption of the final plat for this area as it did not affect any adjacent property, there was no change in the use of this property, or does not have any public right-of-ways involved. All voted in favor of the motion.

A request was received from Paul Stoneberg, attorney in behalf of McLaughlin & Schulz, Inc., - Koch Asphalt Supply Co., for a sewer line easement to be vacated. Schlagel moved, Hoffman seconded, the introduction of an ordinance to vacate a sewer easement on the property of McLaughlin & Schulz, Inc., - Koch Asphalt Supply Company and that a public hearing be set for October 6, 1980. All voted in favor of the motion.

Hoffman moved, Ritter seconded, a transfer of \$290 be made from the Street Department Maintenance Equipment Account to the Street Department Machinery and Equipment Account. The \$290 transfer is for 2 electric gasoline pumps which cost \$690 less \$400 trade-in. All voted in favor of the motion.

REGULAR MEETING - SEPTEMBER 15, 1980 (CONT'D.)

Upon recommendation of the Director of Public Safety and City Administrator, Purrington moved, Ritter seconded, Mr. Steve Jirik be employed as a police officer for the City of Marshall at a rate of \$1,249 per month effective September 30, 1980. The following Resolution was adopted: BE IT RESOLVED that Steve Jirik be a duly appointed, qualified and acting full-time Police Officer for the City of Marshall, Minnesota, possessing the power of arrest by warrant and otherwise, and other authority generally conferred upon and possessed by the Municipal Police Officers in Minnesota with the specific duty of enforcing the laws of the State of Minnesota and the Ordinances of the City of Marshall and apprehending violators thereof, and engaging in the hazards of protecting the safety and property of others. All voted in favor of the motion, except Berre who voted no.

At this time a discussion was held on the authoritative process for the appointment and removal of full time employees. After a brief discussion Hoffman moved, Berre seconded, BE IT RESOLVED the City Administrator be allowed to contact and hire part time and full time city personnel without council approval except for department head level personnel and full time license personnel who are hired subject to council approval. All voted in favor of the motion.

October 2, 1980 was the date set for the meeting of the City of Marshall department heads and the city council to make final revisions for the budget for the fiscal year 1981.

Hirmer moved, Schlagel seconded, and it was unanimously approved that the following bills be authorized for payment: GENERAL FUND, Voucher No. 69129 through 69291; PARKING SYSTEM FUND, Voucher No. 2361 through 2368; SPECIAL ASSESSMENT FUND, Voucher No. 88 through 92; REVENUE SHARING FUND, Voucher No. 185 through 188; WASTEWATER FACILITIES FUND, Voucher No. 1955 through 1980; LIQUOR FUND, Voucher No. 26209 through 26230; DEBT SERVICE FUND, Voucher No. 1528.

Berre moved, Hoffman seconded, and it was unanimously approved the following employee authorizations be approved: Jullo Kor, Public Works Superintendent, 12 month promotion from \$1,685 per month to \$1,752 per month effective July 1, 1980; Stanley Serreyn, Assistant Wastewater Treatment Plant Superintendent, 12 month promotion from \$1,458 per month to \$1,509 per month effective September 1, 1980; Ronald Meulebroeck, Assistant Superintendent Street Department, 12 month promotion from \$1,478 per month to \$1,519 per month effective September 1, 1980; Wade Stimson, Municipal Building Custodian, 6 month review from \$748 per month to \$778 per month effective July 16, 1980; Robert VanMoer, Wastewater Treatment Plant Operator I, 12 month review from \$911 per month to \$966 per month effective July 16, 1980; Dale Howe, Engineering Building and Plumbing Inspector, 18 month review from \$1,370 per month to \$1,425 per month effective August 1, 1980; Jane DeVries, City Clerk Secretary/Receptionist, 18 month review from \$761 per month to \$799 per month effective August 1, 1980; Ernie Seppi, Wastewater Treatment Plant Operator I, 24 month review from \$1,100 per month to \$1,144 per month effective September 1, 1980; Brian VanOverbeke, Street Department Maintenance Worker, 24 month review from \$1,084 per month to \$1,138 per month effective September 16, 1980; Greg Waibel, Marshall Municipal Liquor Store, Retail Clerk, 12 month review from \$784 per month to \$815 per month effective September 16, 1980; Michael Thompson, Park & Recreation, Park Maintenance, 18 month review from \$981 per month to \$1,030 per month effective September 16, 1980.

The following building permits and mobile home permits previously approved by the City Engineer were confirmed:

Clarence Engler, Marshall
305 Lawrence Street
DeScheppers 1st Add., Block 2, Lot 3
Gable roof (was flat roof), \$650

Kenneth W. Winn, Marshall
1100 Colombine Drive
Southview 2nd Subdivision,
Block 2, Lot 14,
install fireplace, \$1,000

Jay Baune, Marshall
802 Elaine Avenue
Westmar Lots, Block 4,
Part of Lot 1,
construct chimney, \$200

Thomas Appeldorn, Marshall
1007 Colombine Drive
Southview 2nd Subdivision, Block 3,
Lot 4, deck, \$600

Melvin Erickson, Marshall
809 Brian Street
Nuese Add., Block 2, Lot 5
Construct breezeway, \$2,000

Riedar Sivertson, Marshall
708 South 4th Street
Eatros Place, Block 2, Lot 24
utility building, \$200

Erickson Oil Products Co., Marshall
304 East College Drive
Original Plat, Block 22, Lot 5
new front to building, \$3,000

REGULAR MEETING - SEPTEMBER 15, 1980 (CONT'D.)

E. L. Crawford III, Marshall
401 South 4th Street
"A" Addition, Block 2, Lot 2
Deck, \$500

Taylor's Inc., Marshall
1500 East College Drive
McFarland's Addition, Block 3, Lot 1
storage garage, \$2,200

Babcock Construction, Marshall
104 South Hill Street
Morningside Heights Addition,
Block 2, Lot 8
reside residence, \$2,600

K. R. Hess, Marshall
606 North 4th Street
Riverside Add., Block 9, Lot 8
Brick wall around garage
\$600

Frank Karolczak, Marshall
618 Kendall Street
J. D. Eastmans, Part of Lot 1
replace garage roof, \$400

Edgar Wacha, Marshall
105 James Avenue
Nielsen's 3rd Addition, Block 3,
Lot 6, chimney & free standing fireplace
\$500

Slagel & Wambeke, Inc., Marshall
456 West Main
Original Plat, Block 8, Lots 7, 8, 9
remodeling store, \$15,000

Clarence Paxton, Marshall
501 Elm Street
Fre-Mar Addition, Block 1, Lot 1
remove 6 windows and install 2 windows
\$400

Western Community Housing Corp., Marshall
1402 Carlson Street
McFarland 2nd Addition, Block 1, Lot 4
dwelling, \$40,677

Western Community Housing Corp., Marshall
512 Carlson Street
McFarland 2nd Addition, Block 1, Lot 7
dwelling, \$38,740

Western Community Housing Corp., Marshall
511 Carlson Street
McFarland 2nd Addition, Block 2, Lot 2
dwelling, \$40,677

Thomas E. VanPutten, Marshall
114 Kathryn Avenue
Nielsen's 8th Add., Block 1, Lot 1
playhouse, \$60

Slagel & Wambeke, Inc., Marshall
512 Hudson Street
Northland 2nd Add., Lot 2
dwelling, \$45,000

Western Community Housing Corp.,
Marshall, 510 Carlson Street
McFarland 2nd Addition, Block 1,
Lot 8, dwelling, \$38,740

Western Community Housing Corp.,
Marshall, 1404 Carlson Street
McFarland 2nd Add., Block 1, Lot 3
dwelling, \$40,677

Western Community Housing Corp.,
Marshall, 508 Carlson Street
McFarland 2nd Add., Block 1, Lot 9
dwelling, \$38,740

Western Community Housing Corp.,
Marshall, 600 Jewett Street
McFarland 2nd Add., Block 1, Lot 1
dwelling, \$38,740

V.P. & C. Partnership, Marshall
1256 Avalon, Camelot Park
install mobile home

V.P. & C. Partnership, Marshall
1258 Avalon, Camelot Park
install mobile home

V.P. & C. Partnership, Marshall
906 Kaye Place Camelot Park
install mobile home

V.P. & C. Partnership, Marshall
1268 Avalon, Camelot Park
install mobile home

John W. D. Evans, Marshall
129 Spruce Drive, Village Park
install mobile home

Jeff Kuiper, Marshall
208 Ash Drive, Village Park
install mobile home

Richard Baier, Marshall
205 North 5th Street
Original Plat, Block 17, Part of
Lot 1, enclose porch, \$1,000

Gary L. Muetzel, Marshall
704 North 5th Street
Riverside Add., Block 5, Part of
Lot 8, fireplace, \$400

Phillip VanOverbeke, Marshall
205 Gray Place
Nielsen's 5th Add., Block 2, Lot 5
utility shed, \$200

Ralph Orren, Marshall
426 1/2 North seventh street
Section 4, NW 1/4
utility building, \$300

Taylor's Inc., Marshall
112 East Saratoga Street
Blakes Add., Block: Part of 7
carport, \$1,500

Purrington moved, Hirmer seconded, the approval of a rear yard variance of 6' which is closer than the 15' required by City Code be approved for Thomas VanPutten of 114 Kathryn Avenue to construct a play house. All voted in favor of the motion.

REGULAR MEETING - SEPTEMBER 15, 1980 (CONT'D.)

Schlagel moved, Ritter seconded, the adoption of RESOLUTION NUMBER 416, SECOND SERIES and that the reading of the same be waived. Resolution Number 416, Second Series is a resolution authorizing the proper city officials to execute a land use planning grant. All voted in favor of the motion.

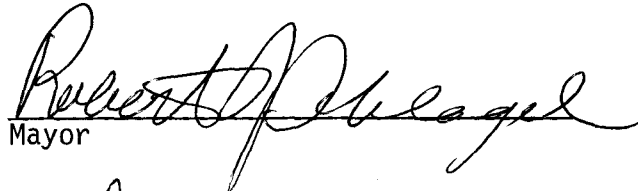
Upon recommendation of the Planning Commission, Hoffman moved, Purrington seconded, a land scapping plan must be submitted by Lyon County Coop before applying for a building permit for the fuel tanks and warehouse. All voted in favor of the motion.

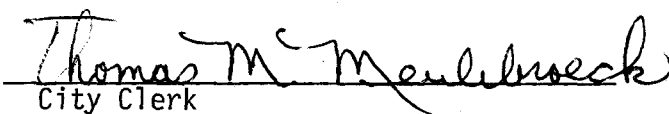
Councilperson Rogalski, indicated to the council that he felt the blue ribbon group procedure was a good alternative to pursue to assist in the area of computerization. The blue ribbon group in this case would be a group of people knowledgeable in the area of comuputerization.

Hirmer moved, Berre seconded, the approval of an on-sale beer license for the "Inn" be added to the agenda. All voted in favor of the motion.

Hirmer moved, Ritter seconded, the approval of an on-sale beer license for "Inn" at a fee of \$13.15 for the period September 15, 1980 through December 31, 1980. All voted in favor of the motion.

Upon motion made by Schlagel, seconded by Hirmer, the meeting was adjourned. All voted in favor of the motion.


Mayor

ATTEST: 
City Clerk

REGULAR MEETING - OCTOBER 6, 1980

The regular meeting of the Common Council of the City of Marshall was held on October 6, 1980. The meeting was called to order by Mayor Schlagel at 7:30 P.M. In addition to the Mayor the following members were present: Purrington, Ritter, Hirmer, Hoffman, Rogalski and Berre. Absent: none.

Rogalski moved, Berre seconded, the approval of the minutes of the regular meeting of the Common Council held on September 15, 1980 as filed with each member and that the reading of the minutes be waived. All voted in favor of the motion.

A public hearing was held at this time of the vacating of a sanitary sewer easement across the property owned by McLaughlin & Schulz, Inc., and Koch Asphalt Supply Co. This easement is for a sanitary sewer force main that was built over 20 years ago and was described with the meets and bounds description. This area has now been plated and easement dedicated on the plat. Purrington moved, Hirmer seconded, the adoption of ORDINANCE NUMBER 77, SECOND SERIES and that the reading of the same be waived. Ordinance Number 77, Second Series is an ordinance vacating a sewer easement in the City of Marshall on the property currently owned by McLaughlin and Schulz, Inc., and Koch Asphalt Supply Co. All voted in favor of the motion.

A discussion was held at this time on the court decisions received from District Court concerning the appeals of the assessments for the downtown projects from the Thornburn building and the Stearns building. The judge ruled in both cases that no benefits were received by the property owners and therefore, no assessments could be allowed. The judge ordered the assessments be disallowed and that the payments that have been received be returned with interest at 6%. The City Attorney, Brian Murphy, indicated to the council it is very difficult to determine whether there was a benefit received from this project from the method by which this project was done. Mr. Murphy also recommended that the council not appeal the court decision. The council members found it difficult to accept that a judge could say that no benefit was derived from this project. Hirmer moved, Hoffman seconded, the court decision not be appealed and that the general fund pay the assessment from the \$20,000 settlement previously received on the Downtown Improvement Project and that the balance be paid from general fund monies. All voted in favor of the motion.

REGULAR MEETING - OCTOBER 6, 1980 (CONT'D.)

A public hearing was held at this time on the downtown parking lot facilities and the removal of the parking meters. Mr. Duane Aden, City Engineer, informed the council that approximately 50% of the property owners of the downtown district have signed the petition. The cost of providing service in the operation and maintenance of the parking lots is approximately \$22,800 which includes personnel expense, other current expense and capital outlay expense. Approximately \$19,000 of this cost would be assessed to owners of the real estate in the downtown district. The balance of the expense would be a cost to the city. Dr. LeRoy Affolter was concerned about the longevity of the proposed assessment. Mr. Aden informed the council and other people in attendance at the meeting the proposed assessments are for a 5 year period with the same amount being assessed each year. Loren Arvidson spoke on behalf of the downtown merchants and indicated to the council that the parking meters are a serious problem when a building is vacated and they try to rent a building to a prospective business for the downtown area. Jerry Krause from Coast to Coast indicated to the council that he was in favor of the removal of the parking meters because people do appreciate the free parking that he does now provide for them and that it would be cheaper with the assessment procedure than what he is currently paying for the parking stalls. Bob Lage from Kay's also indicated to the council that the people do appreciate the free parking that he does now provide and that the people indicate they cannot wait until the parking meters are removed. Mr. Bill Wixon from the American Legion indicated to the council that the Legion does endorse the removal of the parking meters in the downtown parking lots. Hoffman moved, Berre seconded, the adoption of RESOLUTION NUMBER 417, SECOND SERIES and that the reading of the same be waived. Resolution Number 417, Second Series is a resolution accepting the engineers feasibility report, ordering the project, declaring the cost to be assessed and calling for an assessment hearing. The assessment hearing has been set for November 3, 1980 at 7:30 P.M. All voted in favor of the motion.

A bid was received on August 4, 1980 for the Bituminous Surfacing Project (Project No. BS 1980B) for North High Street from 6th Street to Elm Street. The bid received was from McLaughlin & Schulz, Inc., of Marshall, Minnesota in the amount of \$4,085.70. Hirmer moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 418, SECOND SERIES and that the reading of the same be waived. Resolution Number 418, Second Series is a resolution accepting the bid and awarding the contract to McLaughlin & Schulz, Inc., of Marshall, Minnesota in the amount of \$4,085.70 for the Bituminous Surfacing Project (Project No. BS 1980B) for North High Street from 6th Street to Elm Street. All voted in favor of the motion.

On August 4, 1980 a bid was received from Don Bartz Excavating of Ivanhoe, Minnesota in the amount of \$9,588.10 for the Storm Sewer System Project (Project No. STS 1980A) for the area near North 7th Street. Hirmer moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 419, SECOND SERIES and that the reading of the same be waived. Resolution Number 419, Second Series is a resolution accepting the bid and awarding the contract to Don Bartz Excavating of Ivanhoe, Minnesota in the amount of \$9,588.10 for the Storm Sewer System Project (Project No. STS 1980A) for the area near North 7th Street. All voted in favor of the motion.

Hoffman moved, Purrington seconded, the adoption of ORDINANCE NUMBER 78, SECOND SERIES and that the reading of the same be waived. Ordinance Number 78, Second Series is an ordinance amending Chapter 11 of the City Code relating to zoning. This ordinance provides for the property to be rezoned from B-2 to I-2 at Lyon County Coop for a bulk plant at the corner of Hwy. 23 & 59. All voted in favor of the motion, except Hirmer and Berre who voted no.

Hoffman moved, Ritter seconded, the adoption of ORDINANCE NUMBER 79, SECOND SERIES and that the reading of the same be waived. Ordinance Number 79, Second Series is an ordinance amending Chapter 11 of the City Code. This ordinance provides for property to be rezoned from B-2 to I-1 at Lyon County Coop for the building of a warehouse at the corner of Hwy. 23 & 59. All voted in favor of the motion, except Hirmer who voted no.

Mr. Willard Engels, manager of the Lyon County Coop, was in attendance at this meeting to discuss with the council the landscape plan as requested by the City Council at the regular meeting on September 15, 1980 for the warehouse and bulk plant. Hoffman moved, Ritter seconded, the landscape plan be approved and the proper city officials issue a building permit for the warehouse and bulk plant. All voted in favor of the motion, except Hirmer who voted no.

Hirmer moved, Berre seconded, the adoption of ORDINANCE NUMBER 80, SECOND SERIES and that the reading of the same be waived. Ordinance Number 80, Second Series is an ordinance amending Chapter 4 of the City Code relating to construction licensing, permits and regulations, and removes all reference to fire zones. All voted in favor of the motion.

REGULAR MEETING - OCTOBER 6, 1980 (CONT'D.)

Hirmer moved, Schlagel seconded, the adoption of ORDINANCE NUMBER 81, SECOND SERIES and that the reading of the same be waived. Ordinance Number 81, Second Series is an ordinance amending certain sections of the City Code Chapter 9. With this ordinance it is unlawful for any person to leave or park between the hours of 10 P.M. and 6 A.M. on or within city limits of any street in any residential area a house trailer, a bus, a recreation vehicle, a trailer, a tractor or other farm equipment, a semi tractor and any truck over 84" in width. Mr. Bill Sullivan a resident of the City of Marshall felt there should be some exceptions to this ordinance since some streets are wide enough for trucks to be parked along and that there are some people who make their living out of a truck and since they are taxpayers of the City of Marshall they should have a right to park these vehicles on the street by their residence. All voted in favor of the motion, except Ritter who abstained.

Schlagel moved, Berre seconded, the proper city officials be allowed to enter into an agreement with the Southwest Regional Development Commission for the development of a comprehensive plan. This agreement is contingent upon receiving state grand funding. All voted in favor of the motion.

Upon recommendation of the Legislative and Ordinance Committee, Hoffman moved, Hirmer seconded, the introduction of an ordinance amending certain sections of the City Code, Chapter 5. This ordinance is concerned with what applicants are eligible for on-sale beer license. This ordinance will also increase the on-sale license from \$45.00 per year to \$120.00 per year. Organizations that currently have an on-sale beer license will be assessed the new rate effective January 1, 1981. All voted in favor of the motion.

A discussion was held at this time on the introduction of an ordinance amending the present ordinance in the City Code, Section 2.70 concerning the removal and disposal of abandoned vehicles. Mr. Robert Grupe, Big Bob's Service, indicated to the council he was in favor of this ordinance and felt that it would answer some of the problems of how to dispose of some of the abandoned vehicles. There were some areas of the ordinance that needed some clarification, therefore the City Council directed the City Attorney, Brian Murphy, to draft the proposed ordinance.

Berre moved, Schlagel seconded, the introduction of an ordinance amending Section 4.30, Subdivision 4 regarding marquees and canopies. The proposed ordinance would provide that marquees be made of metal or non-combustible materials including fire retardant wood. All voted in favor of the motion.

Schlagel moved, Berre seconded, the introduction of an ordinance repealing Section 2.27 of the City Code that provides for a Municipal Board of Health. State Statutes provide that if two or more counties join together to create a Community Health Service Board, that board would supersede the authority of Municipal Boards of Health. All voted in favor of the motion.

Purrington moved, Ritter seconded, the approval of a transient merchants permit for Kinderfoto Corporation to take photographs at the Penney's Store in the mall. All requirements of the ordinance have been met. The fee for this permit is \$150.00. Purrington, Ritter, Hirmer and Hoffman voted in favor of the motion. Rogalski, Berre and Schlagel voted no.

Ritter moved, Berre seconded, the approval of an off-sale non-intoxicating beer license for Mr. Glenn Johnson for the Dairy Store at 102 West Main Street. All voted in favor of the motion.

Ritter moved, Schlagel seconded, the approval of a dance permit for the Circle Star Saddle Club for a dance to be held at the National Guard Armory on Friday, October 24, 1980 between the hours of 8 o'clock P.M. and 12 o'clock P.M. All voted in favor of the motion.

A request was received from the local Boy Scouts to paint house numbers on street curbs. Ms. Eva Carlson a resident of the City of Marshall thought it was a good idea and felt that there should be an ordinance requiring the numbers at all building locations. Berre moved, Schlagel seconded, the Boy Scouts be allowed to paint house numbers on the street curbs. Mr. Michael Henle, a member of the Boy Scouts, indicated to the council that they would be checking with home owners to see how many would be interested in having the numbers painted on the curb and would later be getting back to the city as to what type of paint and what other requirements they would have to meet. All voted in favor of the motion.

Hoffman moved, Rogalski seconded, the proper city officials be allowed to enter into an agreement with Short-Elliott-Hendrickson, Inc., for engineering services for the grit and grease removal project at the Wastewater Treatment

REGULAR MEETING - OCTOBER 6, 1980 (CONT'D.)

Facility. The primary function provided by these engineering services is the approval of shop drawings and equipment specifications associated with this project and on site inspections. All voted in favor of the motion.

A petition was received for the street grading, curb & gutter, gravel base and bituminous surfacing for Willow Lane from Birch Street to Bruce Street. Purrington moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 420, SECOND SERIES and that the reading of the same be waived. Resolution Number 420, Second Series is a resolution declaring adequacy of the petition and ordering preparation of the engineers feasibility report. This project will be included with the 1981 improvement projects. All voted in favor of the motion.

Berre moved, Ritter seconded, the introduction of an ordinance to amend Chapters 3, 6, & 7 of the City Charter. These amendments to the City Charter were approved by the Charter Commission. The amendments relate to the date of the first council meeting following a municipal election in Section 3.01; to the bidding requirements as set out in Section 6.05; and the fiscal year and date for the adoption of the budget as set forth in Chapter 7. A public hearing was set for November 3, 1980 at 7:30 P.M. All voted in favor of the motion.

City Attorney Brian Murphy prepared for the council a ballot for the November election as it relates to the proposed Chapter 13 amendment to the City Charter.

Hirmer moved, Hoffman seconded, the ballot be approved as recommended by the City Attorney which is worded as follows: Shall the Charter for the City of Marshall be amended by adding thereto Chapter 13 which provides, in part: for the establishment of the Municipal Water, Light and Power Commission appointed by the Mayor with the exclusive jurisdiction, control and management of all water, light and power policies, operations and facilities except that any changes in rates charged to city government and any change of the annual payment to the general fund of the City of Marshall by the Utilities Commission in lieu of taxes shall be negotiated by the City Council and the Utilities Commission. After considerable discussion it was the general consensus of the council that a provision should be added which provides for a public notification and public hearing 30 days prior to implementing any new rate and that there be a provision for a 2/3 affirmative vote of the voters of Marshall for the sale, lease or abandonment of any municipal water, light and power utilities owned by the City of Marshall. Purrington called for the question. Councilperson Rogalski suggested the ballot be in the exact wording before a vote taken. Hirmer moved, Hoffman seconded, the approval of the ballot be tabled until the City Attorney has the exact wording of the ballot. All voted in favor of the motion.

Hirmer moved, Berre seconded, the approval of a supplemental appropriation of \$13,673.80 from the general fund contingency account to the general fund construction in progress account to pay for the improvements on North High Street and Storm Sewer Project on North 7th Street until such time that these projects can be included in the 1981 improvement bond issue at which time the general fund will be reimbursed. All voted in favor of the motion.

Hirmer moved the wording of the ballot for the November election as it relates to the proposed Chapter 13 amendment to the City Charter be removed from the table. All voted in favor of the motion.

Hoffman moved, Ritter seconded, the adoption of RESOLUTION NUMBER 421, SECOND SERIES and that the reading of the same be waived. Resolution Number 421, Second Series is a resolution approving the wording of the ballot in regard to the amendment to the City Charter of the City of Marshall adding thereto Chapter 13. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 422, SECOND SERIES and that the reading of the same be waived. Resolution Number 422, Second Series is a resolution adopting the tax levy payable with the 1980 taxes with a special levy of \$316,286, with a general revenue levy of \$725,000 for a total levy of \$1,041,286. All voted in favor of the motion.

Schlagel moved, Ritter seconded, the approval of a 3 month temporary non-intoxicating beer license for the Southwest State University Student Association for the period October 7, 1980 through January 7, 1980 at a fee of \$25.00. All voted in favor of the motion.

Schlagel moved, Ritter seconded, the approval of a change order in the amount of \$240 for the decorative stripping on the side of the new fire truck. This change order is to be paid out of the general fund. All voted in favor of the motion.

REGULAR MEETING - OCTOBER 6, 1980 (CONT'D.)

Hoffman moved, Hirmer seconded, a supplemental appropriation of \$532 be made from the contingency account to the fire department capital expenditure account for the purchase of 2 proximity suits for the fire department. All voted in favor of the motion.

Purrington moved, Ritter seconded, a public hearing be set for October 20, 1980 at 7:30 P.M. for a request received from Mark Solyst to move an existing assistant pastor's parsonage from 102 Church Street to 706 Oak Street which is Lot 19, Block 3, Fremar Second Addition. All voted in favor of the motion.

Purrington moved, Ritter seconded, that the following bills be authorized for payment: LIQUOR FUND, Voucher No. 26231 through 26273; WASTEWATER FACILITIES FUND, Voucher No. 1981 through 2019; PARKING SYSTEM FUND, Voucher No. 2369 through 2376; SPECIAL ASSESSMENT FUND, Voucher No. 93 through 95; REVENUE SHARING FUND, Voucher No. 189 through 190; DEBT SERVICE FUND, Voucher No. 1529; GENERAL FUND, Voucher No. 69292 through 69435. All voted in favor of the motion, except Hirmer who voted no.

The following building permits and mobile home permits previously approved by the City Engineer were confirmed:

Gerald Bue, Marshall
205 West Redwood Street
Original Plat, Block 14, Lot 3
demolish existing garage and
move in a garage, \$1,000

Michael Boedigheimer, Marshall
432 Legion Field Road
Legion Field Addition, Part of Lot 14
remodel heating system and partitions
\$2,400

Bladholm & Hess Inc., Marshall
112 South 6th Street
Section 4, SW¼
lunch room addition, \$55,570

Harvey R. Several, Marshall
308 Carrow Street
Sunrise Park Addition, Block 1, Lot 14
screened porch, \$100

Slagel & Wambeke, Marshall
1107 Jefferson Avenue
Capitol Hill Add., Block 1, Lot 19
fireplace and finish basement wall
\$4,800

Gregg Miller, Marshall
202 Ash Drive
Village Park
reinsulate and reside
residence, \$1,650

Thomas Morin, Marshall
1274 Avalon
Camelot Square
entry on home, \$500

Bisbee Plumbing & Heating, Marshall
600 Erie Road
Section 33, NW¼
equipment building (grit & grease removal)
\$10,000

Mark Nuese, Marshall
136 "E" Street
Nuese 2nd Addition, Outlot A
demolition of storage granery
\$0

Don Breyfogle, Marshall
303 East Main Street
Section 4, SE¼
shingle roof, reside residence and
enclose porch, \$2,400

John M. Paxton, Marshall
1500 Hahn Road
Industrial Park #1, Block 7, Lot 1
steel storage building (addition to
present storage building) \$29,500

Edmund Gander, Marshall
411 Kossuth Street
Fay F. Reeds Addition, Block 2, Lot 4
remodel family room and garage
\$3,000

Person & Regnier Const., Marshall
501 Elm Street
Fre-Mar Addition, Block 1, Lot 1
reside residence, \$4,800

Steve Kruger, Marshall
1425 East College Drive
Frank J. McLaughlin's Subdivision,
Lots 17 - 22, roof deck replacement
\$100

Ralco-Mix Products, Inc., Marshall
1600 Hahn Road
Industrial Park #1, Block 7, Lot 2
enclosure & bin structure, \$9,200

Roger Bell, Marshall
108 North 4th St.
Original Plat, Block 9, Part of Lot 6
sheet rock and styrofoam insulation
\$150

Salonek Concrete & Const., Springfield, MN
1410 East College Drive
McFarland's Addition, Block 4, Lot 2
bank facility, \$334,000

Larson Const., Co., Marshall
503 Hawthorn Drive
Southview 2nd Subdivision, Block 3, Lot 9
dwelling, \$49,500

REGULAR MEETING - OCTOBER 6, 1980 (CONT'D.)

Edward Marks, Jr., Marshall
400 South Whitney
Morningside Heights 1st Add.,
Block 3, Lot 1
attached double garage
\$6,000

Gregory A. Anderson, Marshall
314 East Main Street
Railroad Addition, Part of Block 1
fireplace, \$700

Denton Bruening, Marshall
401 North 7th St.
Section 33, NW $\frac{1}{4}$
remodel residence, \$2,250

Kleespie Tank & Petroleum Equipment
Morris, Minnesota
1100 East Main Street
Section 10, NW $\frac{1}{4}$ of SW $\frac{1}{4}$
relocation of bulk plant, \$13,900

Bladholm & Hess, Marshall
1100 East Main Street
Section 10, NW $\frac{1}{4}$ of SW $\frac{1}{4}$
warehouse, \$53,475

V.P. & C. Partnership
129 Lilac Drive
Village Park
install mobile home

V. P. & C. Partnership
135 Lilac Drive
Village Park
install mobile home

V. P. & C. Partnership
1238 Winchester
Camelot Square
install mobile home

Larry M. Miller, Marshall
406 Elaine Avenue
Eatros Place 5th Add., Block 2, Lot 8
free standing fireplace and hearth
\$300

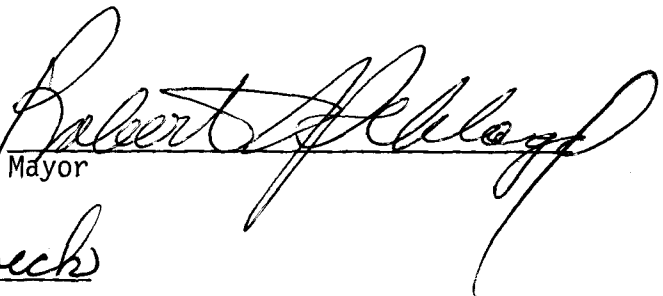
Slagel & Wambeke, Inc., Marshall
Justice Park
Section 4, NW $\frac{1}{4}$
shelter building, \$4,032

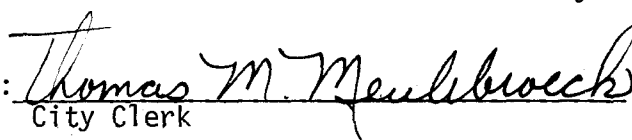
Councilperson Purrington suggested the termination of Lake State Airways as of October 15, 1980 be referred to the Airport Commission to investigate the reason for the termination and to review the current contract the City of Marshall has with Lake State Airways.

The Ways and Means Committee set a meeting for October 9, 1980 at 7 o'clock P.M. to continue the budget process.

The city administrator was directed to advertise the vacancies on the Housing and Redevelopment Authority Board, the Parks, Recreation and Community Education Board, the Planning Commission and the Police Civil Service Commission.

Upon motion made by Schlagel, seconded by Ritter, the meeting was adjourned. All voted in favor of the motion.


Mayor

ATTEST: 
City Clerk

REGULAR MEETING - OCTOBER 20, 1980

The regular meeting of the Common Council of the City of Marshall was held on October 20, 1980. The meeting was called to order by Mayor Schlagel at 7:30 P.M. In addition to the mayor the following members were present: Purrington, Ritter, Hirmer, Hoffman, Rogalski and Berre. Absent: none.

Berre moved, Hoffman seconded, the approval of the minutes of the regular meeting of the Common Council held on October 6, 1980 as filed with each member and that the reading of the minutes be waived. All voted in favor of the motion.

A public hearing was held at this time on the moving of the assistant pastor's parsonage for First Lutheran Church from 102 Church Street to 706 Oak Street. Property owners within 200 feet of the proposed site of 706 Oak Street had been notified of this hearing. There were no affected property owners in attendance at this meeting. Rev. Mark Solyst, Assistant Pastor First Lutheran Church, indicated to the Council that he was also considering a more suitable location of Lot 7, Janzen's 2nd Addition, 901 Boxelder Avenue, for the relocating of this residence and requested that the Council consider the possibility of moving it to this location provided he is able to purchase this parcel of property. Hoffman moved, Berre seconded a permit be granted to Rev. Mark Solyst to relocate residence from 102 Church Street to Lot 19, Block 3, Fre Mar 2nd Addition, 706 Oak Street. All voted in favor of the motion.

Hirmer moved, Hoffman seconded, the adoption of ORDINANCE NUMBER 82, SECOND SERIES and that the reading of the same be waived. Ordinance Number 82, Second Series is an ordinance amending certain sections of the City Code, Chapter 5. This ordinance increases the annual beer license fee for on-sale license from \$45.00 to \$120.00 per year. This ordinance also broadens the definition of those businesses that would be eligible for this license. All voted in favor of the motion.

Hirmer moved, Ritter seconded, the adoption of ORDINANCE NUMBER 83, SECOND SERIES and that the reading of the same be waived. Ordinance Number 83, Second Series is an ordinance amending Chapter 4 of the City Code relating to construction, licensing permits and regulations. This ordinance would provide that marquees be made of metal or noncombustible materials including fire retardant wood. All voted in favor of the motion.

Purrington moved, Berre seconded, the adoption of ORDINANCE NUMBER 84, SECOND SERIES and that the reading of the same be waived. Ordinance Number 84, Second Series is an ordinance repealing certain sections of the City Code Chapter 2. This ordinance repeals the establishment and operation of the City of Marshall local Board of Health. According to State Statutes if 2 or more counties join together to create a community health service board, that board would supersede the authority of a municipal board of health. All voted in favor of the motion.

Upon recommendation of the Planning Commission, Hoffman moved, Schlagel seconded, the introduction of an ordinance rezoning property from R-A to B-2 for Don Aschbrenner at 1701 East College Drive. All voted in favor of the motion.

Upon recommendation of the Planning Commission, Rogalski moved, Hirmer seconded, a conditional use permit to conduct a home occupation consisting of a beauty shop for Sharon Falconer at 507 Pleasant Street be denied. There is no off street parking area at this location and Service Master cleaning business is presently located at this address with a conditional use permit. All voted in favor of the motion.

Upon recommendation of the Planning Commission, Purrington moved, Schlagel seconded, a side yard variance permit be granted to Roy Dierickx at 406 Charles Avenue to construct a chimney. This chimney would be 2' 10" from the property line which is less than the 5' required by city ordinance. All voted in favor of the motion.

A request was received from Taylor's Inc., to locate a free standing sign at 100 South 1st Street at the corner of Depot Street and West College Drive. The sign would be 4' x 16'. Mr. Aden, City Engineer, informed the council that the present sign on East Main Street for Taylor's Inc., is at the maximum permissible sign area that is allowed by zoning code. Berre moved, Purrington seconded, the variance permit requested by Taylor's Inc., to construct a free standing sign 4' x 16' at the corner of Depot Street and West College Drive be denied. All voted in favor of the motion, except Hirmer who voted no.

Upon recommendation of the Planning Commission, Schlagel moved, Rogalski seconded, a side yard variance adjustment permit be granted to Jack Walters at 1006 Cheryl Avenue. This variance permit would allow Mr. Walters to construct

REGULAR MEETING - OCTOBER 20, 1980 (CONT'D.)

a masonry chimney on the South side of his home for a fire place that would result in a side yard of 3' which is less than the 5' required by city ordinance. All voted in favor of the motion.

Upon recommendation of the Planning Commission, Hoffman moved, Ritter seconded, a one year conditional use/home occupation permit be granted to Patricia Hand at 205 East Lyon Street for musical instrument repairs and musical instructions. All voted in favor of the motion.

Upon recommendation of the Planning Commission, Schlagel moved, Berre seconded, a variance adjustment permit to construct a covered walkway that would result in a 0' front yard be granted to the Assembly of God Church at 123 East Main Street. With this permit the canopy would be constructed that would extend from the church to the sidewalk. The canopy is to have open sides. All voted in favor of the motion.

Farm leases on three parcels of property owned by the City of Marshall are due to expire on February 28, 1981. Quotations were received for 2 of these parcels on October 17, 1980. Quotes received for the 15.9 acres North of the Gun Club property were as follows: Roy DeVos, \$51.00 per acre; and Charles Louwagie, \$60.00 per acre. Quotes received for the 51 acres (the future city park property) were from Bill or Louis VanOverbeke at \$50.00 per acre; Roy DeVos, \$66.00 per acre; William J. Doom, \$50.00 per acre. Schlagel moved, Hoffman seconded, the proper city officials be allowed to enter into farm lease agreements for 3 year periods from October 15, 1980 through October 14, 1983 with Roy DeVos for the 51 acres which is the future city park property at \$66.00 per acre and with Charles Louwagie for the 15.9 acres North of the Gun Club property at \$60.00 per acre. All voted in favor of the motion.

Schlagel moved, Berre seconded, the Marshall Industries Foundation be allowed to reallocate the intended use of General Revenue Sharing Funds received from the city and to be used towards the cost of a sign to identify and promote the development of the Marshall Industry Park. All voted in favor of the motion.

Hoffman moved, Purrington seconded, the proper city officials be allowed to receive quotes with the right to reject any or all quotes for a 1948 Dodge Fire Truck, a brass fire pole that was in the municipal building, and an old civil defense dump truck. The council also approved an auction for unclaimed bicycles and the sale of Park & Recreation surplus T-shirts. All voted in favor of the motion.

A report was received from the Ways and Means Committee concerning the proposed revisions for the fiscal year 1981 budget requests. After considerable discussion it was the general consensus of the council that the Ways and Means Committee schedule another meeting to try and meet the \$100,000 budget cut that was originally discussed.

A special committee of the Planning Commission reviewed the proposed changes for home occupation and/or conditional use permits and requested the existing ordinances remain as is and felt it would be more appropriate to have the ordinances better structured after the comprehensive plan has been completed through the Southwest Regional Development Commission.

Councilperson Hirmer indicated to the council the agreement with the Southwest Regional Development Commission for the development of a comprehensive plan had been signed.

City Attorney Brian Murphy informed the council that there may be court suits against the City of Marshall in regard to the zoning action at the Marshall Airport. Hoffman moved, Ritter seconded, the mayor appoint a committee of 2 councilmembers, 1 airport commission member and the proper city officials to study all action options in regard to the zoning at the Marshall Municipal Airport. All voted in favor of the motion.

Hirmer moved, Ritter seconded, and it was unanimously approved that the following bills be authorized for payment: GENERAL FUND, Voucher No. 69436 through 69531; LIQUOR FUND, Voucher No. 26274 through 26290; REVENUE SHARING FUND, Voucher No. 191 through 192; DEBT SERVICE FUND, Voucher No. 1530 through 1531; SPECIAL ASSESSMENT FUND, Voucher No. 96 through 98; PARKING SYSTEM FUND, Voucher No. 2377 through 2382; WASTEWATER FACILITIES FUND, Voucher No. 2020 through 2039.

REGULAR MEETING - OCTOBER 20, 1980 (CONT'D.)

The following building permits previously approved by the City Engineer were confirmed:

Walt E. Schroeder, Marshall
108 South 5th Street
Original Plat, Block 6, Part of Lot 20
demolish garage, \$0

Schwan's Sales Enterprises
601 Michigan Road
Industrial Park #1, Block 8, Lot 1
trash enclosure addition to Sandwich
Plant, \$2,150

Noel Westlind, Marshall
612 Elaine Avenue
Eatros Place 5th Add., Block 1, Lot 6
screen porch, \$700

Donald Stokke, Marshall
118 East Redwood Street
Original Plat, Block 12, Lot 27
kitchen addition, \$5,000

True Value Home Center, Marshall
1400 Carlson Street
McFarland 2nd Add., Block 1, Lot 4
dwelling, \$35,000

Slagel & Wambeke Inc., Marshall
413 South 4th Street
"A" Add., Part of Block 2
addition remodeling (stage 1)
plus unattached garage, \$17,000

Slagel & Wambeke Inc., Marshall
301 West Main Street
Original Plat, Block 3, Lot 16 & 17
new store front, \$8,000

Slagel & Wambeke Inc., Marshall
113 Park Avenue
Liberty Park Addition, Block 2,
Lots 20, 21, 22, Bedroom addition
\$8,000

Soupir Const., Marshall
1308 Horizon Drive
Sunrise Park Addition, Block 6, Lot 5
double garage, \$3,300

Roy J. Dierickx, Marshall
406 Charles Avenue
Morningside Heights Addition, Block 5, Lot 4
fireplace and chimney, \$900

Slagel & Wambeke Inc., Marshall
703 Fairview Street
Section 4, NW $\frac{1}{4}$
Equipment Canopy & Reside storage
building, \$3,000

Paxton Signs, Marshall
456 West Main Street
Original Plat, Block 8, Lots 7, 8, 9
free standing sign, \$0
Attached sign, \$120

Paxton Signs, Marshall
1109 West Main Street
Section 5, NE $\frac{1}{4}$
addition to free standing sign, \$0

SWesta Builders, Inc., Marshall
Justice Park
Section 4, NW $\frac{1}{4}$
service building, Waived

Ben Ridlon, Marshall
1410 Horizon Drive
Sunrise Park Add., Block 6, Lot 6
fireplace and double chimney
\$600

Soupir Const., Marshall
1212 East College Drive
Section 3, SW $\frac{1}{4}$
Office addition, \$60,000

Councilperson Purrington was concerned as to whether solar collectors have been addressed in any of our city ordinances. City Engineer Duane Aden informed the council that solar collector operations are covered by the energy agency and there should be some consideration given to a revision in the city ordinance in regard to solar collectors, environmental orientation and rights and also earth home construction.

Hoffman moved, Purrington seconded, a public hearing be set for November 3, 1980 at 7:30 P.M. for Rev. Mark Solyst to relocate a residence from 102 Oak Street to 901 Boxelder Street, Lot 7, Janzen's 2nd Addition and that proper notices be sent out for this public hearing. All voted in favor of the motion.

City Engineer Duane Aden informed the council that 2 public bodies, the Marshall High School and the Golf Club, have requested large quantities of the trees that are presently located along the diversion channel. Hoffman moved, Berre seconded, a fee of \$10.00 per tree be assessed for the trees purchased in lots of 20 or more for non-profit organizations and that the fee per tree remain at \$20.00 per tree for individuals or profit organizations. All voted in favor of the motion.

A meeting was set for 7:00 o'clock P.M. on November 3, 1980 to interview the applicants for the Housing and Redevelopment Authority Board; Parks, Recreation and Community Education Board; the Planning Commission and the Police Civil Service Commission.

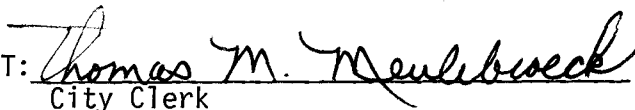
REGULAR MEETING - OCTOBER 20, 1980 (CONT'D.)

City Administrator Jim Heller indicated to the council he had received a request from the Lynd fire department to do the paging for their fire department.

Mr. Greg Taylor from Taylor's Inc., who arrived late at the meeting questioned the council why they denied the variance adjustment permit for 100 South 1st Street. The council informed Mr. Taylor that if he was allowed to construct this sign they would be setting a precedent, and that his sign area was already at the maximum allowed by city code.

Upon motion made by Schlagel, seconded by Hirmer, the meeting was adjourned. All voted in favor of the motion.


Mayor

ATTEST: 
City Clerk

REGULAR MEETING - NOVEMBER 3, 1980

The regular meeting of the Common Council of the City of Marshall was held on November 3, 1980. The meeting was called to order by Mayor Schlagel at 7:30 P.M. In addition to the Mayor the following members were present: Purrington, Hirmer, Hoffman, Rogalski, and Berre. Absent: Ritter.

Hirmer moved, Rogalski seconded, the approval of the minutes of the regular meeting of the Common Council held on October 20, 1980 as filed with each member and that the reading of the minutes be waived. All voted in favor of the motion.

A public hearing was held at this time on the assessment for the downtown parking system. Mr. Duane Aden, City Engineer, informed the City Council and other interested parties in attendance at the meeting that these assessments are only for the removal of the meters in the parking lots, they are for a 5 year period and that they are to be levied against the property owners and assessment receipts to be used for the maintenance of the parking lots. Mr. Robert Runchey on behalf of Robert Powers, Parcel No. 88 the North Easterly 50' of Lots 7, 8 & 9 of Block 8, Original Plat objected to the \$50.00 assessment on this parcel of property since he felt there was no benefited use to this parcel of property. Ms. Eva Carlson, on behalf of the Wesley United Methodist Church, Lots 6 & 7 of Block 15, Original Plat inquired about the assessment for this parcel of property which is \$100.00 per year. Mr. Brian Boysen from Western Minnesota Legal Services a tenant at Parcel No. 132 owned by John VanDerLinden the Southwesterly 108' of Lot 8, Block 10, Original Plat was concerned as to how their assessment of \$200.00 was arrived at. Mr. Duane Aden, City Engineer, informed Mr. Boysen the proximity to off street parking, the relationship to central core of the downtown business and business potential were some of the factors used in arriving at the assessment to each parcel in the downtown area. Mr. Boysen felt that the retail businesses should be assessed a larger portion of the assessment since they have more business traffic and he was also concerned as to how these assessments were to be collected. Mr. Aden informed Mr. Boysen that the assessment would be levied against the property owners and would be in the form of a tax lien on the parcel of property. Mr. Randy Johnson was concerned about what type of program there would be after the 5 years. Councilperson Purrington indicated that the council and the property owners would have to determine at that time if the assessments were appropriate, adequate or inadequate, and determine if they wanted to proceed with the same program at that time. Rena Lockwood owner of the property occupied by General Trading Parcel No. 406, Lot 7, Block 13, Original Plat, felt that their assessment of \$50.00 per year was not justified and should be lowered since they are on the fringe area of the assessment and have their own parking lot. Mr. Dick Labat owner of Waggoner & Habicht indicated to the council and other members in attendance at the meeting that he was 100% in favor of the removal of the meters in the parking lots and that to be a progressive city such a move has to be considered and that such a move would provide a good environment in the downtown area. A written objection was received from Ms. Shirley Aufenthie Parcel No. 66, Lots 1, 2, 3, & 4, Block 6, Original Plat. She objected due to the fact that have adequate off street parking that they privately provide and maintain. Purrington moved, Berre seconded, the adoption of RESOLUTION NUMBER 423, SECOND SERIES and that the reading of the

REGULAR MEETING - NOVEMBER 3, 1980 (CONT'D.)

same be waived. Resolution Number 423, Second Series is a resolution adopting the assessment roll for the removal of the parking meters in the downtown parking lots and that a special meeting be held December 3, 1980 at 5 o'clock P.M. to consider ordering the actual meter removal. All voted in favor of the motion.

A public hearing was held at this time on the application of Rev. Mark Solyst to move the assistant pastors parsonage at First Lutheran Church located at 102 Church Street to 901 Boxelder Avenue. Hoffman moved, Hirmer seconded, Rev. Mark Solyst be allowed to move the assistant pastors house at 102 Church Street to 901 Boxelder Avenue provided all the conditions have been met for the moving of the house and the bringing of the house up to code standards. All voted in favor of the motion.

Hoffman moved, Hirmer seconded, the proper city officials be allowed to enter into a contract between the Marshall Ambulance Service Inc., and the City of Marshall for ambulance services for a 2 year period beginning January 1, 1981 at \$36,000 per year or \$3,000 per month subsidy. This contract also calls for an increase from \$75.00 to \$96.00 for the transportation to any local area hospital within a radius of 40 miles of Marshall. All voted in favor of the motion except Berre who voted no.

Hoffman moved, Hirmer seconded, the approval of the on-sale non-intoxicating beer license for the Racquetball of Marshall at a fee of \$20.00 for the balance of the calendar year of 1980. All voted in favor of the motion.

Rogalski moved, Schlagel seconded, the adoption of ORDINANCE NUMBER 85, SECOND SERIES and that the reading of the same be waived. Ordinance Number 85, Second Series is an ordinance changing the zoning classification from R-A to B-2 for property owned by Don Aschbrenner at 1701 East College Drive. All voted in favor of the motion.

Berre moved, Hoffman seconded, the adoption of ORDINANCE NUMBER 86, SECOND SERIES and that the reading of the same be waived. Ordinance Number 86, Second Series is an ordinance amending Chapters 3, 6 and 7 of the Marshall City Charter. Chapter 3, Section 3.01 is in reference to council meetings; Chapter 6, Section 6.05 relates to purchases and contracts; Chapter 7, Section 7.02 relates to the fiscal year and Chapter 7, Section 7.06 is in reference to passage of the budget. All voted in favor of the motion.

Upon recommendation of the Legislation and Ordinance Committee, Hirmer moved, Berre seconded, the introduction of an ordinance regulating the towing, storage and sale of abandoned motor vehicles. All voted in favor of the motion.

Upon recommendation of the Legislation and Ordinance Committee, Hirmer moved, Schlagel seconded, the introduction of an ordinance regulating the licensing and service of motor vehicles towing and storage operations. The fee for the owner of the towing and storage operation would be \$150.00 per year and the owner of the storage facility must provide outside storage for a least 30 cars and inside storage for at least 6 cars and shall be located within the City of Marshall. All voted in favor of the motion.

Berre moved, Hirmer seconded, the introduction of an ordinance amending certain sections of the City Code, Chapter 8, Section 8.10 referring to the traffic regulations provision that prohibits exhibition driving within the City of Marshall. All voted in favor of the motion.

Schlagel moved, Hoffman seconded, the introduction of an ordinance authorizing the City of Marshall to execute a conveyance to the Lyon County Coop Oil. The boundaries of the property that was covered in the Industrial Revenue Bond Issue cut accross the building sites of the new bulk storage facility and the warehouse. Within this ordinance Lyon County Cooperative Oil will sell to the City of Marshall a small portion of the property which was conveyed to the city and then lease it back. The parcel of property involved contains .73 acres more or less. All voted in favor of the motion except Berre who abstained.

Mr. Duane Aden, City Engineer, presented to the council the plans for the improvement of Country Club Drive from South 4th Street to the County Road No. 7 intersection. This project is a state highway turnback project and in order to be eligible for construction it is necessary that the plans be prepared and approved by the state prior to December 1980. The cost of the project would be approximately \$800,000. The only cost that would be probably assessed to the city would be for some storm sewer installation. The council was concerned about the school crossing on South 4th Street and Country Club Drive and suggested a feasibility study be made on methods of protecting this crossing.

REGULAR MEETING - NOVEMBER 3, 1980 (CONT'D.)

Berre moved, Hirmer seconded, the adoption of RESOLUTION NUMBER 424, SECOND SERIES and that the reading of the same be waived. Resolution Number 424, Second Series is a resolution declaring the cost to be assessed, and ordering preparation of the proposed assessment and calling for a hearing on assessment for Bituminous Surfacing on Parkside Drive from East Lyon Street to Garden Circle. This hearing has been set for 7:30 P.M. at the regular City Council meeting on December 1, 1980. All voted in favor of the motion.

Schlagel moved, Berre seconded, John Doyle be appointed to the Planning and Zoning Commission for a term that is to expire May 31, 1981; Linda Sanders be appointed to the Parks, Recreation and Community Education Board for a term to expire February 28, 1983; and Steve Lavoie be appointed to the Housing and Redevelopment Authority for a term to expire December 5, 1985. All voted in favor of the motion.

Hoffman moved, Hirmer seconded, the approval of a supplemental appropriation of \$82,542 from the contingency to the park maintenance and development account; \$700 is for general supplies, \$19,258 for the ABE/GED program, \$44,452 for the development of the bike trail, and \$18,132 for construction of facilities at Justice Park. All voted in favor of the motion.

Hoffman moved, Hirmer seconded, the approval of a transfer of \$3,600 from the Municipal Building Capital Expenditure Building Account to Municipal Building general supplies \$2,000 and Municipal Building maintenance building \$1,600. All voted in favor of the motion.

Hoffman moved, Hirmer seconded, the approval of a supplemental appropriation from contingency to the municipal airport account in the amount of \$9,885 allocated as follows: account no. 100, salaries and wages, \$2,890; account no. 200, office supplies, \$100; account no. 210, general supplies, \$1,300; account no. 230, small tools, \$125; account no. 301, contractual services, \$75; account no. 320, travel, schools and conferences, \$150; account no. 370, maintenance - equipment, \$1,500; account no. 372, maintenance - other, \$1,700; and account no. 510, building, \$2,045. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, the approval of a side yard and rear yard variance for Vernon Lee of 119 Maple Street for the construction of a utility shed. The rear yard variance provides for a variance of 5' which is closer than the 15' required by City Ordinance and a side yard variance of 1' rather than the 5' required by City Ordinance. All voted in favor of the motion.

Hirmer moved, Berre seconded, and it was unanimously approved that the following bills be authorized for payment: GENERAL FUND, Voucher No. 69532 through 69621; PARKING SYSTEM FUND, Voucher No. 2383 through 2392; REVENUE SHARING FUND, Voucher No. 193 through 194; SPECIAL ASSESSMENT FUND, Voucher No. 99 through 102; LIQUOR FUND, Voucher No. 26291 through 26319 and WASTEWATER FACILITIES FUND, Voucher No. 2040 through 2061.

The following building permits previously approved by the City Engineer were confirmed:

Lee Visker, Marshall
311 East College Dr.
Original Plat, Block 21, Lot 1
free standing sign, \$0

Nuese-Scotting Development, Marshall
705 Nuese Lane
Nuese 2nd Add., Block 2, Lot 1
Dwelling, \$45,000

Jack Walters, Marshall
1006 Cheryl Avenue
Eatros Place, 7th Add., Block 1, Lot 3
chimney, \$200

Albert & Patricia Serreyn, Marshall
708 Nuese Lane
Nuese 2nd Add., Block 1, Lot 6
dwelling, \$50,000

Taylor's Inc., Marshall
401 Hackberry Place
Southview 2nd Subdivision, Block 1,
Lot 1 and part of 2, footings and
foundations for 4 plex, \$7,500

David Hammer, Marshall
112 West Main Street (Formerly 104)
Original Plat, Block 11, Lot 14
remodel shop area, \$500

Mel Besse Const., Marshall
112 Third Street
Original Plat, Block 10, Lot: part of 6
vestibule, \$350

Ben Holm, Marshall
608 Southview Drive
Eatros Place, Block 4, Lot 20
radio tower, \$500

Highway Surfacing Co., Marshall
200 West 8th Street, Section 5, NE¼
Pole Building, \$11,500

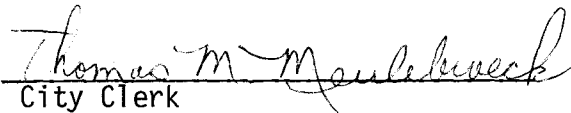
REGULAR MEETING - NOVEMBER 3, 1980 (CONT'D.)

A meeting was set for November 5, 1980 at 5 o'clock P.M. to canvas the ballots from the November 4, 1980 election for the City Charter Chapter 13 Amendment in reference to the governing of the Municipal Utilities.

A Transportation Committee meeting was set for November 12, 1980 at 12 o'clock noon at the Hanging Forest.

Upon motion made by Schlagel, seconded by Hirmer, the meeting was adjourned. All voted in favor of the motion.


Mayor

ATTEST: 
City Clerk

SPECIAL MEETING - NOVEMBER 5, 1980

The special meeting of the Common Council of the City of Marshall was held on November 5, 1980. The meeting was called to order by President Pro-Tem Hirmer at 5:15 P.M. In addition to President Pro-Tem Hirmer the following members were present: Purrington, Rogalski and Berre. Absent: Schlagel, Ritter and Hoffman.

Election returns as filed by the Election Judges for the General Election held on November 4, 1980 were presented by the Clerk. Total votes at said election were determined to be as follows: First Ward, Precinct One, 919; First Ward, Precinct Two, 1,206; Second Ward, Precinct One, 703; Second Ward, Precinct Two, 1,155; Third Ward, Precinct One, 988; Third Ward, Precinct Two, 900 for a total of 5,871 votes. Held in conjunction with the General Election was the question which is listed as follows: Shall the Charter for the City of Marshall be amended by adding thereto as Chapter 13 which provides, in part: For the establishment of the Municipal Water, Light and Power Commission appointed by the Mayor, with the exclusive jurisdiction, control, and management of all water, light and power policies, operations and facilities; except that any changes in rates charged to city government and any changes of the annual payment to the General Fund of the City of Marshall by the Utilities Commission in lieu of taxes shall be negotiated between the City Council and the Utilities Commission. The Chapter also provides for public notification and public hearings 30 days prior to implementing any new rate, and also provides for a 2/3 affirmative vote of the voters of Marshall for the sale, lease or abandonment of any municipal water, light or power utilities owned by the City of Marshall?

The following is the vote tabulation for the foregoing question:

	<u>YES</u>	<u>NO</u>	<u>BLANK</u>
Ward I, Precinct I, College	590	249	59
Ward I, Precinct II, Holy Redeemer	749	366	37
Ward II, Precinct I, Fire Hall	448	243	12
Ward II, Precinct II, Armory	621	500	12
Ward III, Precinct I, West Side	619	330	20
Ward III, Precinct II, East Side	532	353	15
	<u>3,559</u>	<u>2,041</u>	<u>155</u>

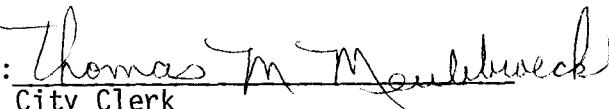
Berre moved, Rogalski seconded, that pursuant to the Election Judges tabulation of the votes cast on the following question: Shall the Charter for the City of Marshall be amended by adding thereto as Chapter 13 which provides, in part: For the establishment of the Municipal Water, Light and Power Commission appointed by the Mayor, with the exclusive jurisdiction, control, and management of all water, light and power policies, operations and facilities; except that any changes in rates charged to city government and any changes of the annual payment to the General Fund of the City of Marshall by the Utilities Commission in lieu of taxes shall be negotiated between the City Council and the Utilities Commission. The Chapter also provides for public notification and public hearings 30 days prior to implementing any new rate, and also provides for a 2/3 affirmative vote of the voters of Marshall for the sale, lease or abandonment of any municipal water, light and power utilities owned by the City of Marshall? That said question be

SPECIAL MEETING - NOVEMBER 5, 1980 (CONT'D.)

declared dully passed and accepted. All voted in favor of the motion.

Upon motion made by Purrington, seconded by Rogalski, the meeting was adjourned. All voted in favor of the motion.


President Pro-Tem

ATTEST: 
City Clerk

REGULAR MEETING - NOVEMBER 17, 1980

The regular meeting of the Common Council of the City of Marshall was held on November 17, 1980. The meeting was called to order by Mayor Schlagel at 7:30 P.M. In addition to the mayor the following members were present: Purrington, Ritter, Hirmer, Rogalski and Berre. Absent: Hoffman.

Rogalski moved, Berre seconded, the approval of the minutes of the regular meeting of the common council held on November 3, 1980 and the approval of the minutes of the special meeting of the common council held on November 5, 1980 as filed with each member and that the reading of the minutes be waived. All voted in favor of the motion.

Hirmer moved, Rogalski seconded, the adoption of ORDINANCE NUMBER 87, SECOND SERIES and that the reading of the same be waived. Ordinance Number 87, Second Series is an ordinance regulating towing, storage and sale of abandoned motor vehicles City Code Chapter 9, Section 9.18. All voted in favor of the motion.

Hirmer moved, Berre seconded, the adoption of ORDINANCE NUMBER 88, SECOND SERIES and that the reading of the same be waived. Ordinance Number 88, Second Series is an ordinance regulating the licensing and operations of motor vehicles towing and storage operations. Hirmer moved, Berre seconded, the adoption of ORDINANCE NUMBER 88, SECOND SERIES be amended so that the storage facilities shall be located within one half mile of the city limits of the City of Marshall. All voted in favor of the amendment. All voted in favor of the motion as amended.

Hirmer moved, Rogalski seconded, the adoption of ORDINANCE NUMBER 89, SECOND SERIES and that the reading of the same be waived. Ordinance Number 89, Second Series is an ordinance amending certain sections of the City Code, Chapter 8, Section 8.10 referring to the traffic regulations provision that prohibits exhibition driving within the City of Marshall. All voted in favor of the motion.

Upon recommendation of the Planning Commission, Purrington moved, Hirmer seconded, the approval of a variance adjustment permit for a rear yard of 27'4" rather than the required 25% or 29'3" for David Powell of 301 Minnesota Street. This variance adjustment permit will allow Mr. Powell to construct a residential addition consisting of a pool and bedroom off the North side of the existing residence. All voted in favor of the motion.

Be it noted the arrival of Councilperson Hoffman.

Upon recommendation of the Planning Commission, Purrington moved, Hirmer seconded, a conditional use permit be granted to Michael and Linda Erb of 417 North 6th Street to classify the existing duplex as a conforming use in a R-1 District. All voted in favor of the motion.

Rogalski moved, Berre seconded, a conditional use permit be granted to William Ritter at 914 West Main Street to allow for a garage for storage and service of vehicles in an I-1 District. Mr. Ritter informed the council that he would be putting signs along the drive to this location indicating that it was a private road and that he would be putting oil on the road to this location to reduce the dust in the area. All voted in favor of the motion, except Hirmer who voted no and Ritter who abstained.

REGULAR MEETING - NOVEMBER 17, 1980 (CONT'D.)

Upon the recommendation of the Planning Commission, Purrington moved, Schlagel seconded, a variance adjustment permit for a side yard variance of 3' rather than the 5' required by City Code, a rear yard variance of 12' rather than the 15' required by City Code and a variance for the distance between the main building and the accessory building of 3' rather than the 5' required by City Code be allowed for Mr. Lyle Moseng of 1501 East College Drive to construct a double wide garage. All voted in favor of the motion.

Upon recommendation of the Planning Commission, Schlagel moved, Purrington seconded, a variance adjustment permit for a side yard of 2'8" rather than 5' required by City Code be approved for William Bot of 117 "E" Street for an addition to the rear of the existing garage. All voted in favor of the motion.

Upon recommendation of the Planning Commission, Hirmer moved, Ritter seconded, a 5 year home occupation conditional use permit for a ceramic shop be granted to Ruth Gunlogson of 706 Brian Street. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Schlagel moved, Rogalski seconded, a 5 year home occupation conditional use permit be granted to Jane Barnett to conduct piano lessons in her home at 1211 Westwood Drive. All voted in favor of the motion.

Upon recommendation of the Planning Commission, Schlagel moved, Ritter seconded, a 5 year home occupation conditional use permit be granted to Jean Moon of 804 Westmar Circle for a craft shop to conduct lessons in her home. All voted in favor of the motion.

Berre moved, Ritter seconded, a conditional use permit be allowed for a duplex under split ownership for Kevin Schroeder and Jay Baune at 800-802 Elaine Street. All voted in favor of the motion, except Rogalski who voted no.

A request had been received from Kevin Schroeder and Jay Baune for a rear yard variance adjustment permit at 800-802 Elaine Street to allow for the construction of a joint garage with a distance of less than permitted by code to the rear lot line. Kevin Schroeder was in attendance at the meeting and indicated to the council that they had agreed to construct a garage 36' in length and would not need a variance adjustment permit, therefore no action was taken on this item.

Hoffman moved, Berre seconded, the mayor be allowed to appoint a hearing officer for a hearing on December 1, 1980 to hear the appeals on the downtown parking system assessments. All voted in favor of the motion.

Upon the recommendation of the Airport Commission, Rogalski moved, Ritter seconded, the proper city officials be allowed to enter into an agreement with Midwest Aviation for an agreement for the use of the Marshall Airport to provide commuter air service between Marshall and Minneapolis. The effective date of this agreement will be the same date the cancellation is effective between the Lake State Airways and the City of Marshall contract. All voted in favor of the motion.

Upon recommendation of the Airport Commission, Schlagel moved, Ritter seconded, the airport use contract between the City of Marshall and Lake State Airways be approved for termination. All voted in favor of the motion.

Hoffman moved, Hirmer seconded, the proper city officials be allowed to enter into an agreement with the following townships: Grandview, Amiret, Lake Marshall, Clifton, Fairview, Sodus and Lynd for emergency ambulance service for 1981 at a rate of \$2.78 per capita. Townships do not have their annual meeting until March of each year, therefore the council approved the 1980 contracts be extended through March 31, 1981 and they have until April 1, 1981 to decide if they want to enter into the contract for the year 1981. All voted in favor of the motion.

Berre moved, Hirmer seconded, a public hearing be set for December 1, 1980 for the transfer of an on-sale liquor license for Michael's On The Main from David Blowers to John Blowers. Hirmer moved, Berre seconded, the motion be amended to set the public hearing for December 1, 1980 for the transfer of an on-sale liquor license for Michael's On The Main from David Blowers to John Blowers and that all other current holders of on-sale liquor licenses be invited to this hearing to be informed of the rules and regulations regarding on-sale liquor licenses. All voted in favor of the amendment. All voted in favor of the motion as amended.

Hoffman moved, Ritter seconded, an on-sale beer license be granted to John Blowers DBA Michael's On The Main for the period December 1, 1980 through December 31, 1981 at a fee of \$130.00. All voted in favor of the motion.

REGULAR MEETING - NOVEMBER 17, 1980 (CONT'D.)

Schlagel moved, Hirmer seconded, the approval of a gambling license for the Southwest State University Student Association. All voted in favor of the motion.

The next item of business on the agenda was the request for a gambling license for the American Legion. The application had not been received, therefore no action was taken at this time.

Hirmer moved, Rogalski seconded, the renewal of the annual on-sale club license for the Marshall Country Club for the calendar year 1981 be approved. The application for the renewal of the on-sale club license for the Fraternal Order of Eagles had not been received, therefore no action was taken on their on-sale club license at this time. All voted in favor of the motion.

The application for the renewal of the annual wine license for "The Inn" had not been received at this time, therefore no action was taken on the renewal of the annual wine license for "The Inn".

Hirmer moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 425, SECOND SERIES and that the reading of the same be waived. Resolution Number 425, Second Series is a resolution adopting the budget for the calendar year 1981 showing estimated revenues and expenditures of \$5,612,567. This budget also provides for an increase in hourly pay for part-time police officers from \$4.00 per hour to \$4.50 per hour and the rate for school patrol from \$7.25 per day to \$9.00 per day and an increase in the park maintenance and development account machinery and equipment from \$7,500 to \$8,000 for the purchase of a tractor/mower. All voted in favor of the motion.

A discussion was held at this time on the budget for the Wastewater Treatment Plant for calendar year 1981. It was the general consensus of the council that \$25,000 be retained in the capital reserve account to provide monies in case there is an emergency that causes a shortage in one of the operating accounts. It was also decided that the city administrator provide more information to the council before a public hearing is held on a proposed increase in rates.

Hoffman moved, Hirmer seconded, the proper city officials be authorized to advertise for bids for the sale of the ground masters mower. All voted in favor of the motion.

Schlagel moved, Ritter seconded, the request received from Region E Drug Investigation Unit for financial assistance be denied. All voted in favor of the motion, except Hirmer who voted no.

Purrington moved, Schlagel seconded, the proper city officials be allowed to submit an application for the State Shade Tree Grant Program for the calendar year 1981 and be allowed to enter into an agreement for the receipt of the grant. All voted in favor of the motion.

Mr. Duane Aden, City Engineer, discussed with the council in detail the plans for the improvement of Country Club Drive from South 4th Street to the County Road No. 7 intersection. The plans for this project have to be approved by the Minnesota Department of Transportation by December 1, 1980 to be eligible for any turn back funds. Mr. Aden suggested to the council three options that may be done with this road: (1) an undivided no parking lane section of 36' in total width; (2) a divided roadway section with a 14' median and a total width of 64'; (3) nothing. Mr. Aden indicated to the council they are projecting traffic volume of 8,000 vehicles per day on this section of Country Club Drive within the next 20 years. As before, the council was still concerned about the school crossing on South 4th Street and Country Club Drive. Mr. Aden indicated to the council that there would be some Municipal State Aid Funds available for a pedestrian crossing signal light system. Schlagel moved, Purrington seconded, the plans as presented by Mr. Aden be presented to the Minnesota Department of Transportation for their approval and that plans should be developed to include adequate pedestrian crossing signals. All voted in favor of the motion, except Berre and Hirmer who voted no.

A discussion was held at this time on the possible acquisition of portions of the abandoned Chicago Northwestern railroad property. Rogalski moved, Hirmer seconded, the proper city officials be authorized to investigate the possibility of acquiring the Chicago Northwestern railroad property from the property near Trunk Highway 59 to the property that extends through the airport zoning. It was also suggested the authorized personnel also correspond with the Marshall Municipal Utilities for the acquiring of this property. All voted in favor of the motion.

Schlagel moved, Purrington seconded, the resignation of Dennis Olsen as Planning Commission member and chairman be accepted and that a letter of recognition and

appreciation be sent to him for his contribution to the City of Marshall and that Mr. Roy Dierickx be appointed to the Planning Commission for a term to expire May 31, 1981. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, and it was unanimously approved that the following bills be authorized for payment: LIQUOR FUND, Voucher No. 26320 through 26346; WASTEWATER FACILITIES FUND, Voucher No. 2062 through 2085; GENERAL FUND, Voucher No. 69622 through 69784; DEBT SERVICE FUND, Voucher No. 1532 through 1536; PARKING SYSTEM FUND, Voucher No. 2393 through 2396; SPECIAL ASSESSMENT FUND, Voucher No. 103 through 106.

The following building permits previously approved by the City Engineer were confirmed:

Mark Solyst, Marshall
901 Boxelder Avenue
Janzen 2nd Addition, Lot 7
move building & remodel
\$15,000

Doom & Cuypers, Marshall
1214 Horizon Drive
Sunrise Park Add., Block 3, Lot 4
bathroom & bedroom add.,
\$14,000

Tholen Auto Sales, Marshall
105-107 East Main Street
Original Plat, Block 13, Lot 18 & 19
temporary garage addition for 8 months
\$1,400

Alan Greig & Norman Gregerson,
Albany, Minnesota
430 West Main Street
Original Plat, Block 8, Lot 16 and
NW $\frac{1}{2}$ of Lot 17
remodel interior
\$4,500

Geske Building, Marshall
103 Church Street
Section 4, Part of NW $\frac{1}{4}$ of SW $\frac{1}{4}$
reside residence, \$3,804

Mei Besse Construction, Marshall
510 Hudson Street
Northland 2nd Add., Lot 3
dwelling
\$35,750

Kesteloot & DeVries, Marshall
304 Carrow Street
Sunrise Park Add., Block 1, Lot 12
family room addition, \$10,400

Orville Caron, Marshall
113 Grimes Street
reside residence, \$1,600

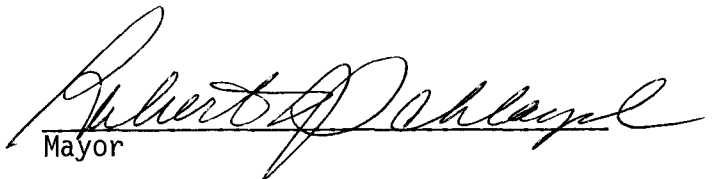
It was acknowledged by the city council the Marshall Police Department's 100% petition to decertify from the union. The council was very apprecative of the police department's vote of confidence in the administration of the city.


Mayor Schlagel volunteered to attend a State Review Board of Minnesota public meeting on December 11, 1980 at 7 o'clock P.M. in the Minnesota Historical Society Building, 690 Cedar Street, St. Paul at which time various locations throughout Lyon County would be nominated to the National Registrar of Historic Places.

Councilperson Hoffman requested the city administrator investigate the absentee of commission members when their term expires and they are qualified for another term on the commission.

City Administrator Jim Heller indicated to the council the Airport Planning Committee had meet on the existing question in relation to zoning of the airport area. Hirmer moved, Purrington seconded, the committee proceed by investigating various alternatives and cost figures for this area. All voted in favor of the motion.

Upon motion made by Schlagel, seconded by Hirmer, the meeting was adjourned. All voted in favor of the motion.


Mayor

ATTEST: 
City Clerk

REGULAR MEETING - DECEMBER 1, 1980

The regular meeting of the Common Council of the City of Marshall was held on December 1, 1980. The meeting was called to order by Mayor Schlagel at 7:30 P.M. In addition to the mayor the following members were present: Purrington, Ritter, Hirmer, Hoffman, Rogalski and Berre. Absent: none.

Berre moved, Hirmer seconded, the approval of the minutes of the regular meeting of the common council held on November 17, 1980 as filed with each member and that the reading of the minutes be waived. All voted in favor of the motion.

An assessment hearing was held at this time on the Bituminous Surfacing (Project No. BS 1979A) for Parkside Drive from East Lyon Street to Garden Circle. With no adjustments or corrections, Hoffman moved, Purrington seconded, the adoption of RESOLUTION NUMBER 426, SECOND SERIES and that the reading of the same be waived. Resolution Number 426, Second Series is a resolution approving the assessment roll for Project No. BS 1979A and setting the interest rate at 8% with payment over a period of 8 years. Interest will be effective January 1, 1981 if the assessment is not paid by then. All voted in favor of the motion.

A public hearing was held at this time on the transfer of the on-sale liquor license for Michael's On The Main from David Blowers to John Blowers. John Blowers along with the other holders of on-sale liquor licenses were sent a letter requesting they attend this meeting for the City Attorney, Brian Murphy, to review with them the rules and regulations for holders of on-sale liquor licenses. Mr. Murphy indicated to the license holders that there are some problems with the sale of drinks to intoxicated customers and the closing time of organizations holding licenses and that if these problems were not taken care of that the city may either revoke or terminate their license. Hoffman moved, Hirmer seconded, the transfer of on-sale liquor license for Michael's On The Main from David Blowers to John Blowers be allowed. All voted in favor of the motion. Hoffman moved, Hirmer seconded, the renewal of the annual on-sale liquor licenses for Michael's On The Main, Corner Bar, Chalet, American Legion, Wooden Nickel, Marshall Inn and Earth II be approved for the year 1981. All voted in favor of the motion.

Hoffman moved, Schlagel seconded, the adoption of ORDINANCE NUMBER 90, SECOND SERIES and that the reading of the same be waived. Ordinance Number 90, Second Series is an ordinance relating to the executing of a deed pursuant to a lease between the City of Marshall and Lyon County Cooperative Oil Company. This ordinance allows for the execution of the deed conveying .73 acres more or less to Lyon County Cooperative Oil Company. All voted in favor of the motion.

Hoffman moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 427, SECOND SERIES and that the reading of the same be waived. Resolution Number 427, Second Series is a resolution authorizing the execution of the second amendment and indenture to the lease agreement between the City of Marshall, Minnesota and Lyon County Cooperative Oil Company. All voted in favor of the motion.

Hirmer moved, Rogalski seconded, the adoption of ORDINANCE NUMBER 88, SECOND SERIES and that the reading of the same be waived. Ordinance Number 88, Second Series is a ordinance regulating the licensing and operation of motor vehicles towing and storage operations. With this ordinance an operator of a motor vehicle towing and storage operation must pay a \$150 per year fee plus provide storage which includes outside storage for at least 30 cars and inside storage for at least 6 cars and shall either be located in the City of Marshall or within a distance of up to ½ mile of the city limits of the City of Marshall. All voted in favor of the motion.

Mr. Pat Leary a member of the committee for the crime prevention and criminal apprehension fund was in attendance at the meeting to discuss the possibility of soliciting donations and providing other assistance to the community in the area of crime prevention and criminal apprehension. Mr. Pat Leary informed the council that this would be a non-profit organization, educational in nature and that this organization would not require the use of any tax dollars but would look for funds or contributions from citizens or other civic groups within the area. Mr. Leary also informed the council that this fund would be administered through the police department and that there would be no increase in liability to the city. Hirmer moved, Schlagel seconded, this committees efforts be endorsed by the City Council. All voted in favor of the motion.

A petition was presented to the council by Mr. Al Holmes and other concerned citizens of the City of Marshall opposed to the 4 lane development of Country Club Drive. There opposition was based on the fact that they felt this project would jeopardize the safety of pedestrians at the South 4th Street intersection, would adversely affect the property values in the area, and that it was an unnecessary expenditure of tax dollars. Some of the concerned citizens felt these tax dollars

REGULAR MEETING - DECEMBER 1, 1980 (CONT'D.)

could be spent for a better project than Country Club Drive, that the City of Marshall was spending these funds on this project whether they needed it or not, the Channel Parkway by-pass would reduce traffic on Country Club Drive and that the citizens were not asked for their input on this project. Mr. Duane Aden, City Engineer, had a scale drawing of the proposed 4 lane development of Country Club Drive and discussed with the council and other concerned citizens the proposed signal lights either for a full crossing or for pedestrian crossing. Mr. Jim Eykyn was concerned as to where the money would be received for this crossing. Mr. Aden informed him that the pedestrian crossing funds would be received through Municipal State Aid and that for a full intersection crossing $\frac{1}{2}$ of the funds would be from local funds and the other $\frac{1}{2}$ from Municipal State Aid Funds. There was some discussion on a 4 lane extending from the intersection of East College Drive and Main to the intersection of Country Club Drive and County Road No. 7 and the possibility of an extension of time be requested from the Minnesota Department of Transportation for this project. Berre moved, Hirmer seconded, the City of Marshall withdraw its request to receive funding from the Minnesota State Department of Transportation for 4 lane road development of Country Club Drive. Berre and Hirmer voted in favor of the motion. Purrington, Rogalski, Schlagel, Hoffman and Ritter voted no. The motion was defeated. Hoffman moved, Schlagel seconded, the City Engineer be requested to contact the State on a modified proposal which would provide a bituminous overlay with a minor increase in the width of the road way and to make an estimate of what this would cost. All voted in favor of the motion, except Hirmer and Rogalski who voted no.

Hoffman moved, Berre seconded, the introduction of an Ordinance amending the annual fee for off-sale beer licenses from \$5.00 to \$30.00 per year. All voted in favor of the motion.

Hirmer moved, Ritter seconded, the approval of the renewal of all on-sale beer licenses for 1981. All voted in favor of the motion.

Schlagel moved, Hirmer seconded, the approval of the renewal of the annual on-sale club liquor license for the Fraternal Order of Eagles AERIE 3405. All voted in favor of the motion.

Upon recommendation of the Legislation and Ordinance Committee, Hoffman moved, Hirmer seconded, the introduction of an Ordinance amending certain sections of the City Code, Chapter 4, relating to numbering of lots and buildings and providing penalties for violation thereof. This ordinance is one of public safety, public convenience and standardization and control of these numbers and addresses by the city. All voted in favor of the motion.

It was the general consensus of the council to allow Councilperson Purrington to proceed with a Blue Ribbon Planning Committee and a Mayor's Conference on Economic Planning and Direction. A steering committee would have to be formed of various groups within the city to form an agenda for a conference that will pertain to issues related to the City of Marshall and that also tie into state issues. There would be some cost to the city by getting involved in this plan.

Hirmer moved, Berre seconded, the adoption of RESOLUTION NUMBER 428, SECOND SERIES and that the reading of the same be waived. Resolution Number 428, Second Series is a resolution establishing Municipal State Aid Highways. This resolution includes Birch Street from Village Drive to State Street. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 429, SECOND SERIES and that the reading of the same be waived. Resolution Number 429, Second Series is a resolution establishing Municipal State Aid Highways. This resolution is for Channel Parkway from Trunk Highway No. 59 to North 7th Street. All voted in favor of the motion.

Schlagel moved, Ritter seconded, the proper city officials be authorized to advertise for bids to be received on December 15, 1980 at 7:30 P.M. for the following capital expenditures approved in the 1981 budget: Street Department a 23,000 GVW Truck, a pickup truck, a loader and mower; Engineering Department a van; Police Department 2 police cars; and the Park Maintenance Department a tractor. All voted in favor of the motion.

Hirmer moved, Purrington seconded, the introduction of an ordinance vacating a utility easement in the City of Marshall. This ordinance would allow Mr. Jack McLaughlin to vacate 2 feet of an existing 10 foot utility easement on Lot 4, Block 3, Sunrise Park Addition to construct an addition to his existing residence. This vacation of an easement would not affect any existing utilities as located in this

REGULAR MEETING - DECEMBER 1, 1980 (CONT'D.)

easement. A public hearing was set for December 15, 1980 at 7:30 P.M. in the Council Chambers of the Municipal Building at 344 West Main Street, Marshall, Minnesota at which time any affected property owners and members of the public will be given an opportunity to be heard. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 430, SECOND SERIES and that the reading of the same be waived. Resolution Number 430, Second Series is a resolution establishing a need for abatement of dutch elm disease infected trees nuisance. This resolution establishes a need to remove an existing infected tree located on a vacant lot behind 421 North 3rd Street. All voted in favor of the motion.

Rogalski moved, Ritter seconded, the approval of change order no. 1 for SWesta Builders, Inc., for a deduct in the amount of \$15.54 to install a wall mount urinal instead of a floor mount. Change order no. 2 for SWesta Builders Inc., was also approved for an additional \$25.00 to provide master keying for the Justice Park Shelter Building. All voted in favor of the motion.

Hirmer moved, Ritter seconded, and it was unanimously approved that the following bills be authorized for payment: PARKING SYSTEM FUND, Voucher No. 2397 through 2405; LIQUOR FUND, Voucher No. 26347 through 26374; SPECIAL ASSESSMENT FUND, Voucher No. 107 through 109; REVENUE SHARING FUND, Voucher No. 195 through 196; DEBT SERVICE FUND, Voucher No. 1537; WASTEWATER FACILITIES FUND, Voucher No. 2086 through 2105; GENERAL FUND, Voucher No. 69785 through 69860.

The following building permits and mobile home permits previously approved by the City Engineer were confirmed:

SWesta Builders, Inc., Marshall
Ritchie Addition, Block 1, Lot 8
117 "E" Street
addition to present garage, \$3,500

Charles Ziegenhagen, Marshall
Nielsen's 7th Addition, Block 2, Lot 2
112 Southview Drive
storage shed, \$1,750

Bladholm & Hess, Marshall
Section 33, SW $\frac{1}{4}$
1100 T. H. #59 North
Office addition, \$40,000

Jack Dobrenski, Marshall
Section 9, NE $\frac{1}{4}$
704 East Main St.
Free standing sign \$0

D. C. McFarland, Marshall
McFarland Addition, Block 2, Lot 1
1422 East College Drive
Bank, \$341,400

Earl Wiering, Marshall
McFarland Addition, Block 3, Lot 1
1500 East College Drive
Close in 6 overhead door openings,
game partitions, pool divider
\$9,000

Assembly of God Church, Marshall
G. E. Carlins Subdivision, Lot 6
123 East Main
canopy, \$340

Marshall Independent, Marshall
Original Plat, Block 7, Lot 7 - 19
508 West Main
remodel interior, \$4,500

Slagel & Wambeke, Inc., Marshall
East Side Subdivision 11 (outlot 1)
Block 1, Lot 9
301 Minnesota Street
Bath & bedroom addition, \$20,000

Leon Coudron, Marshall
Viking Addition, Outlot Glen, Lot 4
200 DeSchepper Court
patio deck, \$925

Jeff Kuiper, Marshall
112 Lilac Drive, Village Park
install mobile home

Maurice Hardlen, Marshall
116 Spruce Drive, Village Park
install mobile home

City Attorney, Brian Murphy, indicated to the council that the Legislative and Ordinance Committee was concerned about an ordinance in reference to the when, where, and sizes for displaying of political signs.

City Administrator, Jim Heller, informed the council that a hearing was held at 1 o'clock P.M. on December 1, 1980 at which time the hearing officer Robert Schreier received and heard any appeals to the downtown parking lot assessments. Mr. Heller informed the council that a reduction in assessment was received from Hilda Brantman represented by Percy Meehl and John Mølle for Parcel No. 110, 111, 112, Lots 15 & 16, Block 9, Original Plat and for John VanDerLinden Parcel No. 132, Southwesterly 108 feet of Lot 7, Block 10, Original Plat and the Southwesterly 108' of Lot 8, Block 10, Original Plat. A request for no assessment was received from Shirley Aufenthie represented by Bob Aufenthie for Parcel No. 66, Lots 1, 2, 3 and 4, Block 6, Original Plat, and Robert A. Powers represented by Pat McFarland for Parcel NO. 88, the Northeasterly 60' of Lot 7, 8, and 9, Block 8, Original Plat.

REGULAR MEETING - DECEMBER 1, 1980 (CONT'D.)

Eva Carlson had no objection to the assessment for the Wesley United Methodist Church which is a tax exempt parcel of property located at Lot 6 & 7, Block 15, Original Plat and Rena Lockwood, Parcel No. 406, Lot 7, Block 13, Original Plat did not attend the hearing.

Mr. Jim Heller also informed the council that he had reviewed Wastewater Treatment Facility Budget for 1981 and requested no increase in rates for 1981.

Mr. Heller also informed the council that he had received a revised preliminary census for the City of Marshall which is 11,154.

The resignation of Vernon Lee, Wastewater Treatment Facility Lift Station Operator was accepted with regret. The council expressed its appreciation for the 32 plus years that Vernon Lee has worked for the City of Marshall and wished him well in his years of retirement.

Upon motion made by Schlagel, seconded, by Hirmer, the meeting was adjourned. All voted in favor of the motion.

Thomas M. Meulbreck
City Clerk

Robert P. Schlagel
Mayor

SPECIAL MEETING - DECEMBER 3, 1980

A special meeting of the Common Council of the city of Marshall was held on December 3, 1980. The meeting was called to order by Mayor Schlagel at 5 P.M. In addition to the mayor the following members were present: Ritter, Purrington, Rogalski, Hirmer and Berre. Absent: Hoffman.

The mayor stated the purpose of the meeting was to make a final determination of the parking lot assessments and to decide whether to remove the parking meters from the Downtown Parking Lots.

Recommendations of the hearing officer, Mr. Robert Schreier, were discussed by the council. The hearing was held at 1:00 P.M. on Monday, December 1, 1980. The city administrator reviewed the recommendations of the hearing officer with the council. Mr. Schreier recommended that the assessments from Mr. John VanDerLinden on Lot 7, Block 10, Original Plat and on Lot 8, Block 10, Original Plat be reduced by \$25.00 each from \$200.00 per year to \$175.00 per year. Mr. Schreier also recommended that property owned by Mrs. Shirley Aufenthie, Lots 1, 2, 3, 4, Block 6, Original Plat be reduced by \$50.00 from \$100.00 per year to \$50.00 per year. Mr. Schreier also recommended the property owned by Mrs. Viola Henshall and Gordon Brantman, Lots 15 & 16, Block 9, Original Plat be reduced by \$50.00 from \$350.00 per year to \$300.00 per year. He also recommended all other assessments that were appealed shall remain as originally assessed. Council member Hirmer questioned the cost to the city on this project. City Engineer, Duane Aden, responded that the estimated cost of the project was \$22,800 per year for operating and maintenance cost. City Administrator, Jim Heller, added that additional direct costs to the city included \$750.00 in annual assessment cost plus approximately \$1,000 per year in interest on the parking lot bonds plus \$150.00 annually in assessment costs if the council were to accept the recommendations of the hearing officer in addition to \$3,925 per year which is the difference between the estimated project costs and the total assessments for a total city cost of approximately \$5,825 annually. Mr. Hirmer stated that he felt that was fair.

Upon questioning, City Attorney, Brian Murpny, stated that he was not aware of any appeals being served upon the mayor or city clerk and that no appeals had been filed with District Court. He felt that it was unlikely that any appeals would be served between the time of the meeting and the expiration of the appeal period of midnight, December 3, 1981. After that time, no appeals could be served or held in regards to this assessment.

SPECIAL MEETING - DECEMBER 3, 1980 (CONT'D.)

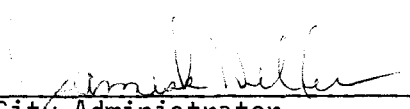
Hirmer moved, Berre seconded, to remove the meters from the Downtown Parking Lots. Purrington moved, Rogalski seconded, to amend the motion to amend Resolution Number 423, Second Series and to accept the recommendations of the hearing officer. All voted in favor of the amendment. All voted in favor of the motion as amended.

Berre moved, Schlagel seconded, to adjourn. All voted in favor of the motion.

Following discussion the mayor reconvened the meeting with Ritter and Hoffman absent. He stated the purpose of the reconvening of the meeting was to determine the interest rate on the assessments. Hirmer moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 431, SECOND SERIES and that the reading of the same be waived. Resolution Number 431, Second Series is a resolution amending Resolution Number 423, Second Series amending the assessment roll for the removal of the parking meters as recommended by the hearing officer and setting interest rate at 8% annually. Interest will be effective December 15, 1980 if the assessment is not paid by January 15, 1981. All voted in favor of the motion.

Berre moved, Schlagel seconded, to adjourn. All voted in favor of the motion.


Mayor


City Administrator

REGULAR MEETING - DECEMBER 15, 1980

The regular meeting of the Common Council of the City of Marshall was held on December 15, 1980. The meeting was called to order by Mayor Schlagel at 7:30 P.M. In addition to the Mayor the following members were present: Purrington, Ritter, Hirmer, Rogalski, and Berre. Absent: Hoffman.

Rogalski moved, Schlagel seconded, the approval of the minutes of the regular meeting of the Common Council held on December 1, 1980 and the minutes of the special meeting of the Common Council held on December 3, 1980 as filed with each member and that the reading of the minutes be waived. All voted in favor of the motion, except Hirmer who voted no.

A public hearing was held to consider the adoption of an ordinance to vacate a utility easement. No one was present to object or approve. Hirmer moved, Ritter seconded, the adoption of ORDINANCE NUMBER 91, SECOND SERIES and that the reading of the same be waived. Ordinance Number 91, Second Series is an ordinance vacating a utility easement in Lot 4, Block 3, Sunrise Park Addition. This ordinance would allow Mr. Jack McLaughlin to vacate 2' of an existing 10' utility easement to allow for the construction of an addition to his existing residence. All voted in favor of the motion.

Quotations were received for the sale of 2 park maintenance mowers. Quotations received were from Warren Snyder, Marshall, Minnesota, 1 mower, \$410; Alvin Thompson, Pinewood, Minnesota, \$500 for 1 mower; Marshall Golf Club, Marshall, Minnesota, \$650 for 1 mower; and Ordeal Severson, Minneota, Minnesota, \$479 for 1 mower. Ritter moved, Berre seconded, 1 mower be sold to the Marshall Golf Club for \$650 and 1 mower be sold to Alvin Thompson, Pinewood, Minnesota for \$500 and that they be allowed 30 days to pickup these mowers and make payment; and if the mowers are not picked up and/or paid for in 30 days (by January 14, 1981) the mowers will be sold to the next highest bidder. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, the adoption of ORDINANCE NUMBER 92, SECOND SERIES and that the reading of the same be waived. Ordinance Number 92, Second Series is an ordinance amending sections of Chapter 4 relating to the numbering of lots and buildings and providing penalties and violations thereof. All voted in favor of the motion.

Hirmer moved, Ritter seconded, the adoption of ORDINANCE NUMBER 93, SECOND SERIES and that the reading of the same be waived. Ordinance Number 93, Second Series is an ordinance amending Chapter 5 changing the fee for the off-sale beer license from \$5.00 to \$30.00 annually. All voted in favor of the motion.

REGULAR MEETING - DECEMBER 15, 1980 (CONT'D.)

Schlagel moved, Hirmer seconded, the approval of the annual renewal of all off-sale beer licenses for 1981. All voted in favor of the motion.

Upon recommendation of the Planning Commission, Hirmer moved, Schlagel seconded, a variance adjustment permit be granted to Mr. Robert Williams at 300 North Hill Street to construct a chimney that would result in a side yard of 3' which is less than the 5' required by City Code. All voted in favor of the motion.

Upon recommendation of the Planning Commission, Purrington moved, Rogalski seconded, the variance adjustment permit be granted to Galen Skramstad at 603 Elaine Street for a fireplace which is 3' from the lot line which is less than the 5' required by City Code. Mr. Skramstad owns both Lots 11 & 12 and is requesting this variance in order to sell the vacant lot. All voted in favor of the motion.

Upon recommendation of the Planning Commission, Purrington moved, Ritter seconded, the variance adjustment permit be granted to David Larson at 501 Dogwood Avenue to construct a family room and patio addition to his home. This permit would allow Mr. Larson a rear yard of 29' which is less than the required 25% or 30' required for lot depth. All voted in favor of the motion.

John Brobst and Lon Meyer, members of the Marshall Chamber of Commerce, were in attendance at the meeting to discuss with the council the relationship between the 2 organizations. They felt the communication between the 2 organizations could be improved and that a representative from the city should be involved in the Chamber Government and Legislative Committee meetings to inform them of what is happening in the city government. Councilperson Hirmer suggested that either a council member of the city administrator be the representative of the city at the Chamber Government and Legislative Committee meetings. A community forum was also discussed at this time, which is tentatively scheduled for the first week of March 1981 to discuss various issues concerning the City of Marshall as well as how they relate to State issues.

Be it noted the arrival of councilperson Hoffman.

The next item of business on the agenda was the consideration of the approval of the contracts between the United States Department of Energy and the City of Marshall on behalf of the Utilities Commission for contracts providing for hydro-electric power from the Missouri River Basin. Schlagel moved, Ritter seconded, the approval of these contracts be postponed until a member of the Marshall Municipal Utilities is in attendance at a City Council meeting to discuss these contracts. All voted in favor of the motion.

Hirmer moved, Rogalski seconded, the proper city officials be allowed to enter into an agreement amending contract no. 04202 between Southwest State University and the City of Marshall, which employs individuals for the purpose of traffic control and security at Southwest State University between the period July 1, 1980 and June 30, 1981. This amended contract allows for a reduction of \$5,267.10 from the original agreement of \$56,873 to \$51,605.09. The revision in the contract is a reduction in 3 hours per day coverage. All voted in favor of the motion.

Purrington moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 432, SECOND SERIES and that the reading of the same be waived. Resolution Number 432, Second Series is a resolution setting the fee for variance and rezoning applications, conditional use permits, assessment search and certifications for other than property owners, charges for police records to attorneys and insurance companies, and for vehicle parking violations. All voted in favor of the motion.

Purrington moved, Hirmer seconded, the introduction of an ordinance amending certain sections of the City Code, Chapter 5. This ordinance would provide for an increase in set-up license from \$100 to \$200 per year and for club liquor licenses from \$100 to \$200 per year. All voted in favor of the motion.

A discussion was held at this time on the activities of the Joint Airport Planning Committee in regard to their reviewing the Airport Master Plan and Zoning. Councilperson Hoffman reported to the council a representative from the Minnesota Department of Transportation indicated the State is willing to assist with this project and with acquiring additional land and/or easements and that there are funds available on a basis of 1/3 city and 2/3 state. It is the request of the Joint Planning Committee that they be allowed to meet with the effective property owners and Minnesota Department of Transportation. Hirmer moved, Purrington seconded, the Joint Planning Committee be allowed to proceed with the meetings with the property owners and getting the Minnesota Department of Transportation involved with appraisals. All voted in favor of the motion.

REGULAR MEETING - DECEMBER 15, 1980 (CONT'D.)

Hirmer moved, Schlagel seconded, the Joint Powers Agreement between the Marshall Independent School District and the City of Marshall providing for a joint community Park, Recreation and Community Education Board be modified to expand the at-large membership from six to nine to meet state requirements. With 3 additional members appointed to this board 1 member would be appointed for 1 year, 1 member would be appointed for 2 years, and 1 member would be appointed for 3 years. All voted in favor of the motion.

Upon the recommendation of the Airport Commission, Ritter moved, Berre seconded, the proper city officials be allowed to enter into new lease agreements for the airport for the calendar year 1981 which would include the following increases: main hanger from \$20.00 per month to \$22.50 per month for single engine aircraft and from \$40.00 per month to \$44.00 per month for twin engine aircraft; 10 unit "T" Hanger from \$30.00 per month to \$33.00 per month; 8 unit "T" Hanger from \$35.00 per month to \$38.50 per month; 6 unit "T" Hanger from \$50.00 per month to \$55.00 per month and the fee for the tie down area be set at \$2.00 per night. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, the following transfer be approved: from Police Department, 4110.350, \$4,524.50 to account number 4111, Public Safety. This transfer is to be allocated to 4111.100, \$4,650.63; 4111.110, \$254.12; 4111.200, \$497.47; 4111.320, \$670.50; 4111.350, \$217.89; and the following accounts are to be decreased: 4111.140, \$464.85; 4111.150, \$401.26; 4111.210, \$150.00; 4111.211, \$400.00 and 4111.370, \$350.00. \$3,268.00 is to be transferred from the general fund, police department-salaries to the parking meter fund for a meter monitor that had been assigned to the dispatch office on a full time basis for the last six months. \$850.00 is to be transferred from 4110.350 to 4110.540 to allow the police department to purchase a new typewriter. All voted in favor of the motion.

Schlagel moved, Purrington seconded, the approval of a supplemental appropriation for 1981 from contingency to the public safety account 4111 as follows: salary, \$10,208; pension, \$1,123; and insurance, \$1,600 for a total of \$12,931. This appropriation would allow for the transfer of the dispatcher's position from the parking meter budget to the public safety account in the general fund 1981 budget. All voted in favor of the motion.

Purrington moved, Ritter seconded, the approval of change order no. 1 with Tholen Auto Sales for a police type vehicle. This change order has a deduct of \$63.20 to change engine size from a V-8 to V-6 and has an additional amount of \$425 for a price adjustment (as per bid) for a 1981 model which results in a net increase for this change order of \$361.80. This adjusts the contract amount to \$6,369.80. All voted in favor of the motion.

Hirmer moved, Purrington seconded, the date for the receiving and the opening of the bids for the vehicles and equipment included in the 1981 budget be rescheduled from Monday, December 15, 1980 at 7:30 P.M. to Friday, December 19, 1980 at 5 P.M. All voted in favor of the motion.

A discussion was held at this time on the status of contract parking in the Schwan's parking lot. Hoffman moved, Purrington seconded, the fee schedule for vehicles and small pickups parking in this lot be eliminated and that all other campers and equipment parked there over a 24 hour period of time be assessed a fee according to our fee schedule. It was the general consensus of the council that campers and trailers are to be parked in the back row of the lot. Councilperson Berre was concerned about the maintenance of this lot. All voted in favor of the motion, except Berre who voted no.

Schlagel moved, Rogalski seconded, Monday, January 5, 1981 at 7:30 P.M. be the date set for the public hearing on the proposed uses of general revenue sharing fund for 1981. All voted in favor of the motion.

Upon recommendation of the personnel committee, Hoffman moved, Berre seconded, the pay plan for the City of Marshall be increased by 8% effective January 1, 1981. All voted in favor of the motion.

Hirmer moved, Hoffman seconded, Jerry Gladis be granted a dance permit for December 27, 1980 for a dance to be held at the National Guard Armory between the hours of 8 P.M. and midnight for a fee of \$25.00. All voted in favor of the motion.

REGULAR MEETING - DECEMBER 15, 1980 (CONT'D.)

Hirmer moved, Purrington seconded, and it was unanimously approved that the following bills be authorized for payment: WASTEWATER FACILITIES FUND, Voucher No. 2106 through 2133; DEBT SERVICE FUND, Voucher No. 1538 through 1544; SPECIAL ASSESSMENT FUND, Voucher No. 110 through 114; PARKING SYSTEM FUND, Voucher No. 2406 through 2412; LIQUOR FUND, Voucher No. 26375 through 26395; GENERAL FUND, Voucher No. 69861 through 69963.

A discussion was held at this time on the promotion of a patrolman to a temporary position as a sergeant. When a person is promoted to a temporary sergeant position it may be for up to 180 days. If it is longer than 180 days a certification process through the Police Commission must take place. Hirmer moved, Ritter seconded, the approval of the temporary sergeant position and that the proper certification by the Police Commission be completed. All voted in favor of the motion.

A discussion was held at this time on the non-classified positions included in the City of Marshall pay plan. The position being questioned at this time was the position of program director in the Park & Recreation Department which the city council does not want to be included in the pay plan.

Berre moved, Rogalski seconded, and it was unanimously approved that the following employee authorizations be approved:

EMPLOYEE & DEPARTMENT	REVIEW	FROM PER MONTH	TO PER MONTH	EFFECTIVE
Kay Nauman, Police Department Communications & Records Officer	6 month	\$ 688	\$ 722	10-1-80
Glen Kokal, Police Department Police Officer	6 month	1,068	1,132	12-9-80
Brian DeWitt, Police Department Police Officer	6 month	1,068	1,132	12-9-80
Tim Oakley, Police Department Police Officer	6 month	1,068	1,132	12-9-80
Frank Scherf, Police Department Police Officer	6 month	1,068	1,132	12-9-80
Garry Rick, Police Department Director of Public Safety	6 month	2,173	2,282	11-1-80
Rick Sanow, Wastewater Treatment Facility, Operator I	12 month	957	1,000	10-1-80
Cindy Friesen, Municipal Liquor Store, Sales Clerk	12 month	777	816	10-16-80
Joe Blanchette, Street Dept. Maintenance Worker	18 month	1,001	1,051	11-1-80
Daryl Frederichs, Wastewater Treatment Facility, Operator I	18 month	1,025	1,075	12-16-80
Thomas Meulebroeck, Finance Director, City Clerk, Treasurer	18 month	1,946	2,024	10-16-80
Kim Jergenson, Engineering Dept. Engineer Technician	18 month	1,159	1,220	10-16-80
James Thompson, Street Department Maintenance Worker	24 month	1,033	1,085	11-1-80
Carrie Dorrance, Wastewater Treatment Facility, Lab. Tech.	24 month	1,153	1,210	10-16-80
Doris Huber, Assessor & Park and Recreation Dept., Secretary	24 month	849	891	11-16-80
Doug Goodmund, Park, Recreation & Community Education, Program Director	24 month	990	1,035	10-1-80

REGULAR MEETING - DECEMBER 15, 1980 (CONT'D.)

<u>EMPLOYEE & DEPARTMENT</u>	<u>REVIEW</u>	<u>FROM PER MONTH</u>	<u>TO PER MONTH</u>	<u>EFFECTIVE</u>
Jo Ann Buchert, Engineering Dept., Senior Clerk Typist	24 month	\$ 833	\$ 875	11-1-80
Robert VanMoer, Promoted to Lift Station Operator, Wastewater Treatment Facility		1,027	1,075	12-1-80
Gary Johnson, Police Department Promoted to temp. sergeant		1,308	1,347	12-16-80
Richard Herigon, Street Department Mechanic, Annual review		1,413	1,441	1-1-81
Myron Renneke, Street Department Heavy Equipment Operator Annual review		1,365	1,376	1-1-81
Ernest Seppi, Wastewater Treatment Facility, Promotion Operator II		1,144	1,170	1-1-81

The following building permits previously approved by the City Engineer were confirmed:

Children's Center, Marshall
Section 3, SW $\frac{1}{4}$
1304 East College Drive
free standing sign, \$0

Hisken Construction, Marshall
Carlson Addition, Lot 11
120 "E" Street
5 window replacements
\$2,700

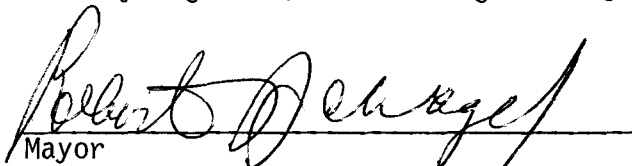
Anne E. LaPorte, Marshall
Original Plat, Block 21,
Lot: NE'ly 75' of 5
308 North 3rd Street
free standing sign, \$0

Kestlout & DeVries, Marshall
Southview Subdivision, Block 3,
Lot 9, 501 Dogwood Drive
family room addition
\$9,000

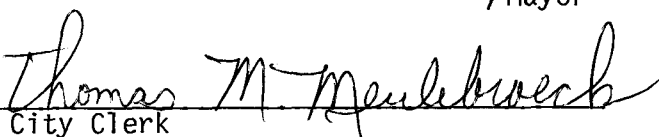
Hisken Construction, Marshall
Eatros 4th Addition, Block 2, Lot 9
607 Thomas Avenue
reside residence and egress window
\$2,800

Councilperson Rogalski requested the cost effectiveness of the renovation project to the municipal building and library heating system be quantified and referred to Robert Emanuelson Engineering.

Upon motion made by Schlagel, seconded by Rogalski, the meeting was adjourned. All voted aye.


Mayor

ATTEST:


City Clerk

SPECIAL MEETING - DECEMBER 19, 1980

A special meeting of the Common Council of the City of Marshall was held on December 19, 1980. The meeting was called to order by Mayor Schlagel at 5 o'clock P.M. In addition to the mayor the following members were present: Ritter, Hirmer, Purringon, Rogalski, and Berre. Absent: Hoffman.

The mayor stated the purpose of this meeting was to receive, open and read bids for the following vehicles and equipment for 1981: Street Department, 23,000 G.V.W. Truck, a pickup truck, a loader and a mower; Engineering Department, a van; Police Department, 2 police cars; and the Park Department, a tractor with mower.

The first series of bids received, opened and read were for (2) 4-door sedans police type autos for the police department: Southwest Ford, Marshall, Minnesota, \$16,200; Tholen Auto Sales, Marshall, Minnesota, \$17,802.96; Lockwood Motors, Inc., Marshall, Minnesota, \$18,667.

The second series of bids received, opened and read were for a van for the engineering department: Southwest Ford, Marshall, Minnesota, \$9,214.80, trade-in \$1,714.80 for a net bid of \$7,500; Tholen Auto Sales, Marshall, Minnesota, \$9,927.85, trade-in \$2,314.60 for a net bid of \$7,613.25.

The third series of bids received, opened and read were for a ½ ton pickup truck for the street department: Southwest Ford, Marshall, Minnesota, \$7,475.30, trade-in \$1,475.30 for a net bid of \$6,000; Tholen Auto Sales, Marshall, Minnesota, \$7,545, trade-in \$1,506.30 for a net bid of \$6,028.70.

The fourth series of bids received, opened and read were for a mower for the street department: Duke Durfee Co., Marshall, Minnesota, \$1,780 and Case Power and Equipment, Marshall, Minnesota, \$1,625.

The fifth series of bids received, opened and read were for a 23,000 G.V.W. truck for the street department. Bids per specs were from Southwest Ford, Marshall, Minnesota, \$15,800; Tholen Auto Sales, Marshall, Minnesota, \$16,359.29; and Olson & Johnson Trucks, Inc., Marshall, Minnesota, \$15,924. Bids for option no. 1 galion box instead of garwood were: Tholen Auto Sales, Marshall, Minnesota \$16,765.29 and Olson & Johnson Trucks, Inc., Marshall, Minnesota, \$16,080. Bids for option no. 2 17,500 lb. rear axle with 4 speed trasmission was Tholen Auto Sales, Marshall, Minnesota, \$15,696.29.

The sixth series of bids received, opened and read were for a loader for the street department: Duke Durfee, Co., Marshall, Minnesota, total lump sum bid \$90,250, trade-in \$20,250, net lump sum bid \$70,000, maximum guaranteed maintenance expense for 5 years or 6,000 hours which ever occurs first is \$6,000, guaranteed minimum repurchase in 10 years \$76,700; for a total cost bid of a minus \$700; Ziegler, Inc., Marshall, Minnesota, total lump sum bid of \$102,591, trade-in \$26,948, net lump sum bid of \$75,643, maximum guaranteed maintenance expense for 5 years or 6,000 hours which ever occurs first is \$4,150, guaranteed minimum repurchase in 10 years \$85,000, total cost bid a minus \$5,207; and Road Machinery & Supplies Co., Minneapolis, Minnesota, total lump sum bid \$103,630, trade-in \$34,612, for a net lump sum bid of \$69,018, maximum guaranteed maintenance expense for 5 years or 6,000 hours which ever occurs first \$5,000, guaranteed minimum repurchase in 10 years \$74,018, total cost bid is 0.

The last series of bids received, opened and read were for a tractor and mower for the park department: Duke Durfee, Marshall, Minnesota, \$12,300; Boerboom Internationa, Marshall, Minnesota, \$9,845; Lyon County Implement, Marshall, Minnesota, \$8,850; and Case Power & Equipment, Marshall, Minnesota, \$11,700. A bid was received from D & M Imp., Inc. of Marshall, Minnesota, no bid security was enclosed, therefore it was not read.

No objections were received from the bidders in attendance at the meeting to hold the bids for 30 days.

Ritter moved, Schlagel seconded, the bids be referred to the city engineer to review and that the awarding of the bids be tabled to January 5, 1981. All voted in favor of the motion.

Upon motion made by Hirmer, seconded by Rogalski, the meeting was adjourned. All voted aye.

ATTEST:

City Clerk

Mayor

REGULAR MEETING - JANUARY 5, 1981

The regular meeting of the Common Council of the City of Marshall was held on January 5, 1981. The meeting was called to order by President Pro-Tem Hirmer at 7:30 P.M. In addition to the President Pro-Tem Hirmer the following members were present: Purrington, Ritter, Hoffman, Rogalski and Berre. Absent: Schlagerl.

Rogalski moved, Ritter seconded, the approval of the minutes of the regular meeting of the Common Council held on December 15, 1980 and the minutes of the special meeting of the Common Council held on December 19, 1980 as filed with each member. All voted in favor of the motion.

The first of two public hearings was held at this time to receive input from the public for proposed uses of General Revenue Sharing Funds for 1981. Greg Cattoor requested \$2,950 for the economic development committee of the Marshall Area Chamber of Commerce. Russ Labat, on behalf of the Marshall Softball Association, requested \$39,306 for various improvements. Jackie Zerr, from Mainstay, requested \$4,500 for a used copying machine. Councilperson Hoffman suggested using some of the funds for capital outlay items and councilperson Hirmer suggested some of the funds be used for the flood control project and the acquisition of the Chicago Northwestern Railroad right-of-way.

A public hearing was held at this time on the removal of an infected dutch elm tree located on a vacant lot behind 421 North 3rd Street. Ritter moved, Berre seconded, the adoption of RESOLUTION NUMBER 433, SECOND SERIES and that the reading of the same be waived. Resolution Number 433, Second Series is a resolution ordering the abatement of Dutch Elm Disease Infected Tree Nuisance. All costs involved with the removal of this tree including removal costs, publication notice, mailing cost and other direct costs will be levied as a special assessment against the property. All voted in favor of the motion.

Berre moved, Ritter seconded, the adoption of ORDINANCE NUMBER 94, SECOND SERIES and that the reading of the same be waived. Ordinance Number 94, Second Series is an ordinance amending certain sections of the City Code chapter 5. This ordinance provides for an increase in the annual club license from \$100 to \$200 per year and for the consumption and display license from \$100 to \$200 per year. All voted in favor of the motion.

Mr. Duane Aden, City Engineer, discussed with the council and other members in attendance at the meeting 4 alternative design proposals for the improvements on Country Club Drive from County Road No. 7 to South 4th Street. He also discussed with them the traffic control system for the intersection of South 4th Street and Country Club Drive. The four proposals discussed by Mr. Aden were No. 1: an undivided street 38' in total width from curb to curb; No. 2: a divided street with 14' median and a total curb to curb width of 46'; No. 3: a divided street with 14' median and a total width from curb to curb of 64'; and No. 4: widening the existing pavement and complete overlay to provide a total width of 32' from shoulder to shoulder.

Hoffman moved, Berre seconded, the proper city officials be authorized to receive a petition calling for an ordinance prohibiting a 4 lane street on Country Club Drive. Mr. Alan Holmes, a representative of the committee, presented the petition and read the ordinance regulating the construction of a 4 lane road on West College Drive between County Road 7 and 4th Street in the City of Marshall, Minnesota. All voted in favor of the motion.

Hoffman moved, Ritter seconded, the bids for (2) 4 door sedan police type automobiles for the police department be awarded to Southwest Ford-Lincoln-Mercury Sales, Inc., of Marshall, Minnesota in the amount of \$16,234.82; one vehicle will have a 302 C.I.D. V-8 engine and the other vehicle a 255 C.I.D. V-8 engine. All voted in favor of the motion.

Purrington moved, Rogalski seconded, the bid for a van for the engineering department be awarded to Southwest Ford-Lincoln-Mercury Sales, Inc., Marshall, Minnesota in the amount of \$7,500. All voted in favor of the motion.

Ritter moved, Hoffman seconded, the bid for a pickup truck for the street department be awarded to Tholen Auto Sales, Marshall, Minnesota in the amount of \$6,028.70. Southwest Ford-Lincoln-Mercury Sales, Inc., Marshall, Minnesota had the low bid of \$6,000 but did not include a heavy duty alternator and heavy duty suspension system which were included as part of the standard specifications. If these two items would have been included the bid would have been approximately \$45.00 more than the Tholen Auto Sales bid. All voted in favor of the motion.

Berre moved, Ritter seconded, the bid for the mower for the street department be awarded to Case Power & Equipment Co., Marshall, Minnesota in the amount of \$1,625. All voted in favor of the motion.

REGULAR MEETING - JANUARY 5, 1981 (CONT'D.)

Rogalski moved, Ritter seconded, the bid for a dump truck for the street department be awarded to Southwest Ford-Lincoln-Mercury Sales, Inc., Marshall, Minnesota in the amount of \$15,800. All voted in favor of the motion.

Hirmer moved, Berre seconded, the bid for the loader for the street department be awarded to Road Machinery & Supply Co., Minneapolis, Minnesota in the amount of \$66,432. Mr. Duane Aden had recommended to the council the bid be awarded to Ziegler Inc., on the basis of their total cost bid which was a minus \$5,207. After considerable discussion from the council and the bidders, Dave Hochum, Duke Durfee Co., Al Veil, Road Machinery & Supply Co., and Dave Larson, Ziegler Inc., Hirmer called for the question. Voting in favor of the motion were Berre, Hirmer and Hoffman. Voting no were Rogalski, Purrington and Ritter. The motion was defeated. The floor was open to discussion at this time on who the bid should be awarded to for the loader for the street department. After more discussion on the pros and cons of the different types of equipment Ritter moved, Purrington seconded, the award be made to Ziegler Inc., Marshall, Minnesota for the loader for the street department on a basis of the total cost bid of a minus \$5,027 and that the piece of equipment be purchased out of revenue sharing funds. Voting in favor of the motion were Ritter, Rogalski and Purrington. Voting no were Hoffman, Berre and Hirmer. The motion was defeated. It was the general consensus of the council that a special meeting be set by the mayor at which time the award of the bid for the loader for the street department would be made.

Rogalski moved, Ritter seconded, the bid for the tractor and mower for the park department be awarded to Lyon County Implement Co., in the amount of \$8,850. All voted in favor of the motion.

Rogalski moved, Hoffman seconded, a supplemental appropriation be made from contingency to police department, machinery and equipment, \$1,380; engineering department, machinery and equipment, \$1,000; street department, machinery and equipment, \$2,429; and park maintenance, machinery and equipment, \$850 for a total amount of \$5,659.00. All voted in favor of the motion.

Rogalski moved, Ritter seconded, the gambling license for the American Legion Club for the year 1981 be approved at a fee of \$10.00. All voted in favor of the motion.

Berre moved, Hoffman seconded, the approval of the gambling license for the Fraternal Order of Eagles AERIE 3405 for the year 1981 at a fee of \$10.00. All voted in favor of the motion.

Ritter moved, Berre seconded, the introduction of an ordinance amending certain sections of City Code chapter 11. This ordinance would delete certain sections of the zoning ordinance which provides for a \$5.00 charge for various applications and provides these charges will be set by resolution. All voted in favor of the motion.

Hoffman moved, Ritter seconded, the transient merchants license permit for Olan Mills Studios be approved for the calendar year 1981. All voted in favor of the motion, except Rogalski and Berre who voted no.

Hoffman moved, Rogalski seconded, change order no. 1 for Slagel & Wambeke, Inc., be approved in the amount of an additional \$37.17 for the Justice Park Shelter to provide for labor and materials for an additional column bracing. All voted in favor of the motion.

Hoffman moved, Berre seconded, the adoption of RESOLUTION NUMBER 434, SECOND SERIES and that the reading of the same be waived. Resolution Number 434, Second Series is a resolution establishing and providing for the personnel policy's rules and regulations for the employees of the City of Marshall, Minnesota and repealing those provisions set forth in previous resolutions. All voted in favor of the motion.

It was the general consensus of the council that the city administrator be allowed to set a date for the later part of January, 1981 for a retreat with the council members and the department heads.

Hoffman moved, Ritter seconded, the proper city personnel be authorized to make contracts and offers to the respective land owners in the amount of the appraisal for the taking of the right-of-way property for the Channel Parkway Project. All voted in favor of the motion.

REGULAR MEETING - JANUARY 5, 1981 (CONT'D.)

Purrington moved, Rogalski seconded, the proper city officials be authorized to advertise for bids for garbage removal for the period February 1, 1981 through January 31, 1982. Bids are to be requested by location and also by an alternative bid if all locations are awarded. All voted in favor of the motion.

Berre moved, Hoffman seconded, the public hearing for General Revenue Sharing Funds for 1981 be opened to hear any further requests. All voted aye. Jane Kooster from Southwest Sectional Assault Program was requesting \$1,500 for a crisis phone system.

Purrington moved, Berre seconded, and it was unanimously approved that the following bills be authorized for payment: GENERAL FUND, Voucher No. 69964 through 70061; PARKING SYSTEM FUND, Voucher No. 2413 through 2420; DEBT SERVICE FUND, Voucher No. 1545 through 1548; REVENUE SHARING FUND, Voucher No. 197 through 198; SPECIAL ASSESSMENT FUND, Voucher No. 115 through 116; WASTEWATER FACILITIES FUND, Voucher No. 2134 through 2152; LIQUOR FUND, Voucher No. 26396 through 26436.

Hoffman moved, Ritter seconded, the following police officers be granted a 12.63% increase of the September 1, 1980 base salary to be effective January 1, 1981:

NAME	BASE SALARY SEPTEMBER 1, 1980	SALARY EFFECTIVE JANUARY 1, 1981
Bob Madetzke	\$1,308 per month	\$1,478 per month
Duane Bahn	1,308 per month	1,478 per month
Gary Johnson	1,308 per month	1,522 per month
Paul Soppeland	1,308 per month	1,478 per month
Robert Swenson	1,249 per month	1,412 per month
Barry Swanson	1,132 per month	1,345 per month
Tim Oakley	1,068 per month	1,276 per month
Frank Scherf	1,068 per month	1,276 per month
Brian DeWitt	1,068 per month	1,276 per month
Glen Kokal	1,068 per month	1,276 per month
Steve Jirik	1,249 per month	1,407 per month

All voted in favor of the motion.

Hoffman moved, Rogalski seconded, a retroactive adjustment of 6.3% for the period September 1, 1980 through December 31, 1980 be granted to the following police officers:

NAME	FROM PER MONTH	TO PER MONTH
Bob Madetzke	\$1,308	\$1,390
Duane Bahn	1,308	1,390
Gary Johnson	1,308	1,390
Paul Soppeland	1,308	1,390
Robert Swenson	1,249	1,328
Barry Swanson	1,132	1,203

The following police officers were granted a 1.1% increase for the period September 1, 1980 through December 31, 1980:

NAME	FROM PER MONTH	TO PER MONTH
Tim Oakley	\$1,068	\$1,080
Frank Scherf	1,068	1,080
Brian DeWitt	1,068	1,080
Glen Kokal	1,068	1,080

All voted in favor of the motion, except Hirmer and Berre who voted no.

Hoffman moved, Ritter seconded, the detective pay in lieu of overtime be increased from \$40.00 per month to \$60.00 per month effective January 1, 1981 and detective/juvenile officer be paid \$30.00 per month in lieu of overtime effective January 1, 1981. All voted in favor of the motion.

REGULAR MEETING - JANUARY 5, 1981 (CONT'D.)

Hoffman moved, Rogalski seconded, the approval of a supplemental appropriation from the contingency to the police department salaries, 4110.100 in the amount of \$10,000 to cover the increases in salaries as approved. All voted in favor of the motion, except Hirmer who voted no.

The following building permits and mobile home permits previously approved by the city engineer were confirmed:

Paxton Signs, Marshall
118 Third Street
Original Plat, Block 10,
Part of Lot 5
Attached sign, \$500

Gerald M. Edwards, Marshall
348 Timberlane Drive
Village Park
entry to mobile home, \$700

Don Slagel, Marshall
508 West Marshall Street
Auditor's Plat #2, Lot 1
interior remodeling
\$8,000

Irving Peterson, Marshall
307 South 5th Street
"A" Addition, Block 4, Lot 5
repair fire damage, \$12,500

Gerald Bue, Marshall
100 South Whitney Street
Morningside Heights Addition,
Block 1, Lot 1
wood burning appliance in garage
\$500

Albee Auto Sales Inc., Marshall
1307 East College Drive
Section 3, SE¼ of NW¼
remodel fascia, \$300

Hisken Construction, Marshall
North Highway No. 19
Section 6, SE¼
installing partition walls
\$1,100

Curt Henkel, Marshall
Village Park
install mobile home

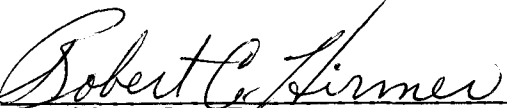
Councilperson Purrington indicated to the council a joint meeting of council members and chamber of commerce members has been set for January 8, 1981 to discuss the community forum to be held on February 10 & 11, 1981 to discuss programs of interest to the citizens of Marshall.


Councilperson Purrington also indicated to the council a Ways and Means Committee meeting has been set for January 22, 1981 to discuss the downtown parking meters.

City Administrator, Jim Heller, indicated to the council the increase in on-sale beer license fee from \$45.00 to \$120.00 per year has brought some concern to organizations that have the license for on-sale beer on Sundays only. This concern was referred to the Legislative and Ordinance Committee.

During the budget review process a full time fire marshall position was requested, this was referred to the Ways and Means Committee.

Upon motion made by Ritter, seconded by Berre, the meeting was adjourned. All voted in favor of the motion.


President Pro-Tem

ATTEST: 
City Clerk

SPECIAL MEETING - JANUARY 7, 1981

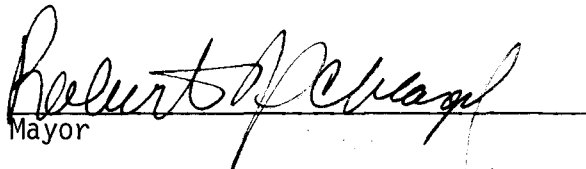
A special meeting of the Common Council of the City of Marshall was held on January 7, 1981. The meeting was called to order by Mayor Schlagel at 5:00 P.M. In addition to the mayor the following members were present: Purrington, Ritter, Hirmer, Hoffman, Rogalski and Berre. Absent: none.

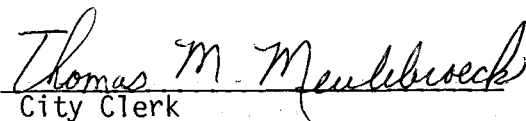
Mayor Schlagel indicated to the council and other members in attendance at the meeting the purpose of this meeting was to award the bid for a loader for the street department.

Schlagel moved, Hirmer seconded, the bid be awarded to Road Machinery & Supply, Minneapolis, Minnesota for the net lump sum bid of \$69,018 with a deduction of \$2,586 from the lumpsum bid for the deletion of a 2 way radio and bucket teeth for a net lump sum bid after deletion of \$66,432.00. After considerable discussion on the specifications for this piece of equipment a vote was taken in which Hirmer, Hoffman, Berre and Schlagel voted in favor of the motion and Purrington, Rogalski, and Ritter voted no.

Hirmer moved, Berre seconded, the approval of a supplemental appropriation of \$1,432 from the contingency to street department 4212.530 machinery and equipment. All voted in favor of the motion.

Upon motion made by Schlagel, seconded by Ritter, the meeting was adjourned. All voted in favor of the motion.


Mayor

ATTEST: 
City Clerk

REGULAR MEETING - JANUARY 19, 1981

The regular meeting of the Common Council of the City of Marshall was held on January 19, 1981. The meeting was called to order by Mayor Schlagel at 7:30 P.M. In addition to the mayor the following members were present: Purrington, Ritter, Hirmer, Rogalski, and Berre. Absent: Hoffman.

Berre moved, Ritter seconded, the approval of the minutes of the regular meeting of the Common Council held on January 5, 1981 as corrected and the minutes of the special meeting of the Common Council held on January 7, 1981 as filed with each member. All voted in favor of the motion.

The next item of business for the meeting was the receipt of bids for the sale of the used 1948 Dodge Fire Truck. There were no bids received at this time.

Bids were received at this time for the brass fire pole and attachments from the fire station. Bids were as follows: Robert Peterson, Maple Grove, Minnesota, \$25.00; Gary W. Gears, Chicago, Illinois, \$2,500.00; Kiester Fire Department, Kiester, Minnesota, \$252.00; Gerald Behrends, Willmar, Minnesota, \$402.65; Robert Schroeder, Minneapolis, Minnesota, \$75.00; Brian Berggren, Roseville, Minnesota, \$417.00; Dr. Marklam J. Fischer, Washburn, Wisconsin, \$350.00; Michael Power, Elko, Minnesota, \$47.00; Dean Whitter Reynolds, Inc., Wayzata, Minnesota, \$59.00; Charles Pavlish, Prior Lake, Minnesota, \$114.00; David Alme, Minneapolis, Minnesota, \$101.00; Victor Elfering, Freeport, Minnesota, \$103.98; Frances Grun, Forest Lake, Minnesota, \$92.00; Gerald Jablinski, Young America, \$150.00; Fountain Lumber Co., Fountain, Minnesota, \$101.95; Candy Dale, Embarrass, Minnesota, \$250.00; Asphalt Supply Co., Marshall, Minnesota, \$210.00; Annette Behrends, Buffalo, Minnesota, \$210.10; Robert Laack, Hammond, Minnesota, \$37.00; Joan Eisenreich, Cleveland, Minnesota, \$35.00; Reuben L. Anderson, Cherne, Inc., Minneapolis, Minnesota, \$50.00; Walter G. Fries, Russell, Minnesota, \$50.01; S. Wilbanks, Apple Valley, Minnesota, \$25.26; Cynthia Kaufman, Blaine, Minnesota, \$55.00; Stephen Olsen, Brooklyn Center, Minnesota, \$30.00; Nels R. Lundroff, Sandstone, Minnesota, \$300.00; Dr. C. H. Cuykendall, Jackson, Minnesota, \$206.99; Mary Stapleton, Chaska, Minnesota, \$302.00; Ronald Kragness, Moorhead, Minnesota, \$102.00; and Peter Smith, Mapleton, Minnesota, \$93.99. Schlagel moved, Rogalski seconded, the brass fire pole and attachments be

REGULAR MEETING - JANUARY 19, 1981 (CONT'D.)

sold to Gary W. Gears of Chicago, Illinois in the amount of \$2,500.00. All voted in favor of the motion.

Bids were received, opened and read at this time for garbage and sanitation service for the City of Marshall for the period beginning February 1, 1981 and ending January 31, 1982. The council had the option of accepting all or part of the bids that were received. Bids were received from Ritter's Sanitary Service, Inc., Marshall, Minnesota and Rich's Sanitation Service of Marshall, Minnesota, as follows:

PROPOSAL A:		RITTER'S YEARLY FEE	RICH'S YEARLY FEE
1. Wastewater Treatment Plant	Once every two weeks, one (1) one yard container	150.00	149.00
2. Main Sanitary Sewer Lift Station	Six days per week, Mon. thru Sat. one (1) one yard container	1,296.00	1,425.00
3. Fire Station	Once a week, several (3-6) 30 gallon containers	57.00	50.00
4. Municipal Airport	Once a week, two (2) one-yard containers	250.00	234.00
5. Street Department Shops	Once per week, one (1) one yard container	234.00	239.00
6. Main Street between College Drive and 5th Street and 3rd Street between Main Street and Lyon Street	Ten (10) sidewalk containers, once (1) per week	390.00	354.00
7. Municipal Liquor Store	Once per week, one (1) one yard container and a large number of empty corrugated cardboard boxes (possibly twice a week)	396.00	401.00
8. Legion Field Park	Three (3) times per week from April 1 to Oct. 31, one (1) 3 yard container	424.00	429.00
9. Leaves	All leaves that are removed from streets, alleys, parking lots; removed as needed from St. Dept., parking area or other prearranged locations		
	(a) Price per load	25.00	15.00
	(b) 20 estimated truck loads Price per load x 20	500.00	300.00
10. Municipal Building	Six days per week (Mon. thru Sat.) several (3-6) 30 gallon containers	240.00	245.00
11. Additional per unit bid	Per unit bids are requested for the following items in the event that additional units or services are required during the term of the contract at any of the above locations (based upon once a week pickup):		
	Each 30 gallon container	No more than	0.80
	Each 1 yard container	similar type containers at	1.80
	Each 3 yard container	the same location	4.50

REGULAR MEETING - JANUARY 19, 1981 (CONT'D.)

PROPOSAL B:

Schedule of price for total garbage collection for locations 1 through 10 if the bidder is awarded all items 1 through 10

<u>RITTER'S YEARLY FEE</u>	<u>RICH'S YEARLY FEE</u>
3,425.00	3,522.00

Schlagel moved, Rogalski seconded, the bid for garbage and sanitation service for the City of Marshall for the period of February 1, 1981 through January 31, 1982 be awarded to Ritter's Sanitary Service, Inc., Marshall, Minnesota in the amount of \$3,425.00. All voted in favor of the motion, except Ritter who abstained.

Berre moved, Schlagel seconded, the adoption of ORDINANCE NUMBER 95, SECOND SERIES and that the reading of the same be waived. Ordinance Number 95, Second Series is an ordinance amending certain sections of the City Code, Chapter 11 which would delete certain sections of the zoning ordinance which provides for a \$5.00 charge for various applications and provide that these charges will be set by resolution. All voted in favor of the motion.

A certified petition and proposed ordinance were received at this time which would prohibit the construction of a 4 lane road on Country Club Drive between County Road 7 and 4th Street in the City of Marshall. Hirmer moved, Ritter seconded, this ordinance be referred to the committee as a whole to review. The meeting of the council as a whole to discuss this ordinance was set for January 29, 1981 at 7:30 P.M. in the Council Chambers. All voted in favor of the motion.

A discussion was held at this time on the proposed budget for the use of General Revenue Sharing Funds for fiscal year 1981. Ruth Ann Wefald from Mainstay, Inc., was in attendance at the meeting to discuss with the council their organization and their request of \$4,500 for a used copying machine. George Hebig and Russ Labat were in attendance at the meeting to answer any questions the council had on the request from the Marshall Softball Association of \$39,306. Councilperson Berre indicated to the council she had received a request from a citizen of Marshall that some of these funds be used for a community center. Councilperson Hirmer suggested that approximately \$75,000 be used for street maintenance. Schlagel moved, Berre seconded, a budget hearing on the proposed uses of the General Revenue Sharing Funds for fiscal year 1981 be set for the second regular meeting in February, 1981. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Hirmer moved, Ritter seconded, the variance permit be granted to Lake Beverage Co., at 110 South 8th Street to construct a warehouse and office that would result in a side yard of less than the required 10 feet by City Code. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Schlagel moved, Berre seconded, a one year home occupation conditional use permit be granted to Roy Barrett of 1108 Washington Avenue to operate a locksmith business. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Purrington moved, Ritter seconded, a one year home occupation conditional use permit be granted to Randy Wagner of 207 East Main Street for a taxidermy business. This permit was granted provided Mr. Wagner conforms to the City Code in regard to the signage limit. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Berre moved, Rogalski seconded, a 5 year home occupation conditional use permit be granted to George Falconer of 507 Pleasant Avenue to operate a cleaning business. All voted in favor of the motion.

Hirmer moved, Ritter seconded, a dance permit be granted to Patrick Egan for a dance to be held at the National Guard Armory on Saturday, February 7, 1981 between the hours of 8 P.M. and 12 midnight. This permit was granted provided that Mr. Egan have a thorough check of ID's. All voted in favor of the motion.

A request had been received from the Army Recruiting Center to lease or rent parking meter stalls near their office on North Third Street. This same request had been received in January of 1980. Hirmer moved, Ritter seconded, the council maintain their position of not allowing on street leasing or renting of parking meter stalls. All voted in favor of the motion.

REGULAR MEETING - JANUARY 19, 1981 (CONT'D.)

Berre moved, Ritter seconded, the transient merchants permit from Jones & Presnell Studios be postponed and referred to the Legislative and Ordinance Committee to review the transient merchant permit fee and bond requirements. All voted in favor of the motion, except Hirmer who voted no.

Hirmer moved, Rogalski seconded, the approval of an appropriation of \$2,800 from the Capital Reserve of the Wastewater Treatment Facilities Fund to allow for more efficient piping of the sludge to the digester system. This project would pay for itself in one year. All voted in favor of the motion.

Schlagel moved, Purrington seconded, the proper city officials be allowed to receive proposals for the leasing of approximately 280 acres of airport land. City Attorney suggested that this lease be for a 2 year period with the cash rent being paid by the 1st of March of each year. The City Attorney will draft the lease for this parcel of property. All voted in favor of the motion.

Berre moved, Hirmer seconded, the following newly elected officers of the Marshall Volunteer Fire Department be confirmed: Chief, Ed Scheele; Assistant Chief, Len Yonkers; First Assistant Chief, Everette Langland; President, Jim VanHyfte; Vice-President, Dale Boerner, Secretary, David R. Marks; Treasurer, Art Matthys; Examiner, Thomas Polfliet and Steve Kane; Trustees, for three year period, Don Labat and Jim Archbold. All voted in favor of the motion.

Schlagel moved, Ritter seconded, the proper city personnel be allowed to purchase communication equipment for the civil defense van for emergency preparedness purposes. The amount of this equipment is \$4,950. All voted in favor of the motion.

A retreat was set for Monday, January 26, 1981 at 1 o'clock P.M. for the Department Heads and the City Council.

Councilperson Purrington indicated to the council the topics to be discussed at the community forum are: transportation, economic development, education - chemical use, flood control and recreation. This community forum has been rescheduled from February 10 & 11 to February 24 & 25, 1981.

A request was received from United Laboratories of America from Golden Valley, Minnesota for a transient merchants license. Berre moved, Ritter seconded, the approval of this license be postponed and referred to the Legislative and Ordinance Committee. All voted in favor of the motion, except Hirmer who voted no.

It was the general consensus of the council a transient merchant not be allowed to operate within the City of Marshall unless they have paid the required fee, submitted the required bond and received approval from the Council.

Hirmer moved, Ritter seconded, and it was unanimously approved that the following bills be authorized for payment: GENERAL FUND, Voucher No. 70062 through 70165; LIQUOR FUND, Voucher No. 26437 through 26460; PARKING SYSTEM FUND, Voucher No. 2421 through 2427; SPECIAL ASSESSMENT FUND, Voucher No. 117 through 121; DEBT SERVICE FUND, Voucher No. 1549 through 1551; and WASTEWATER FACILITIES FUND, Voucher No. 2153 through 2174.

The following building permits previously approved by the City Engineer were confirmed:

Jon Dewey, Marshall
601 Kennedy Street
Van Uden Second Addition,
Block 3, Lot 3
basement bathroom, \$2,000

Dulas Construction, Marshall
1405 West College Drive
Section 8, Part of NW¼
Alcohol plant
\$5,000

Richard DiNello, Marshall
1005 Columbine Drive
Southview Second Addition,
Block 3, Lot 3
Sheet rock walls in family
room, hallway & bedroom
\$500

REGULAR MEETING - JANUARY 19, 1981 (CONT'D.)

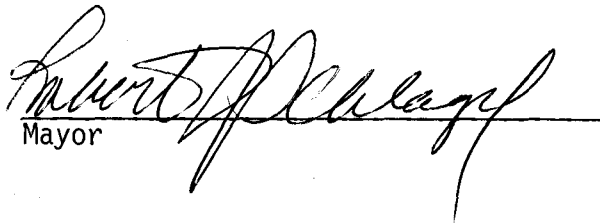
Purrington moved, Rogalski seconded, a request for a dance permit for the Holy Redeemer Youth Group for a dance to be held at the National Guard Armory on January 30, 1981 between the hours of 9:30 P.M. and 12 midnight be placed on the agenda. All voted in favor of the motion.

Purrington moved, Rogalski seconded, a dance permit be granted to Holy Redeemer Youth Group for January 30, 1981 at the National Guard Armory between the hours of 9:30 P.M. and 12 midnight. All voted in favor of the motion.

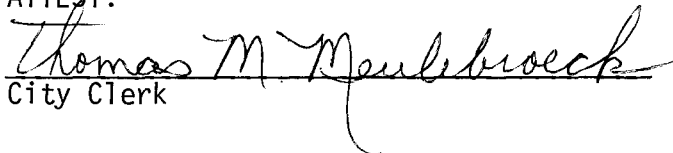
Councilpersons Berre and Ritter were appointed to a committee to select 4 members for the Park, Recreation and Community Education Board.

Hirmer moved, Berre seconded, a public hearing be set for the next regular meeting of the City Council on February 2, 1981 at 7:30 P.M. to discuss the possibility of acquiring the Chicago Northwestern Railroad right-of-way property within the City of Marshall. All voted in favor of the motion.

Upon motion made by Schlagel, seconded by Berre, the meeting was adjourned. All voted in favor of the motion.


Mayor

ATTEST:


City Clerk

SPECIAL MEETING - JANUARY 29, 1981

The special meeting of the Common Council of the City of Marshall was held on January 29, 1981. The meeting was called to order by Mayor Schlagel at 7:30 P.M. In addition to the mayor the following members were present: Purrington, Ritter, Hirmer and Berre. Absent: Hoffman and Rogalski.

Mayor Schlagel indicated to the council and other members in attendance at the meeting the purpose of this meeting was to consider the approval of a 3 month temporary non-intoxicating beer license for the Southwest State University Student Association and to discuss a proposed ordinance prohibiting certain improvements to Country Club Drive.

Schlagel moved, Ritter seconded, the approval of the 3 month temporary non-intoxicating beer license for the Southwest State University Student Association for the period January 30, 1981 through April 30, 1981 at a fee of \$25.00. All voted in favor of the motion.

Mayor Schlagel read to the council members and other members in attendance at the meeting the proposed ordinance prohibiting the construction of a 4 lane road on Country Club Drive between County Road 7 and 4th Street in the City of Marshall, Minnesota.

Mr. Al Holmes spokesman for the committee submitting the proposed ordinance indicated to the council the committee was still concerned about the pedestrian crossing at the intersection of South 4th Street and Country Club Drive. Mr. Holmes suggested this intersection be a full signalized intersection.

Be it noted the arrival of councilperson Rogalski.

Mr. Aden, City Engineer, informed the council and other members in attendance at this meeting the traffic count at this intersection does not warrant a full signalized system for this intersection according to State Standards and if installed would not be funded by Minnesota State Aid Funds.

SPECIAL MEETING - JANUARY 29, 1981 (CONT'D.)

Berre moved, Hirmer seconded, the council decision to construct a 4 lane road on Country Club Drive between County Road 7 and 4th Street in the City of Marshall, Minnesota be rescinded.

Mr. Holmes informed the council and other members in attendance at the meeting that the citizens committee had done a 24 hour survey on Country Club Drive on the number of vehicles using this section and had counted 3,300 vehicles.

Councilperson Rogalski felt with the future development of the Country Club Apartments and Westwood area would warrant the improvement to Country Club Drive.

Mr. Robert Eliason a member of the citizens group indicated to the council and other members in attendance that parents of children who attend West Side Grade School are very concerned about the pedestrian crossing on Country Club Drive and 4th Street intersection and he also felt if the traffic count does not warrant a fully signalized state funded signal system at this intersection that the city use some of their funds to install a 4 way stop light at this intersection.

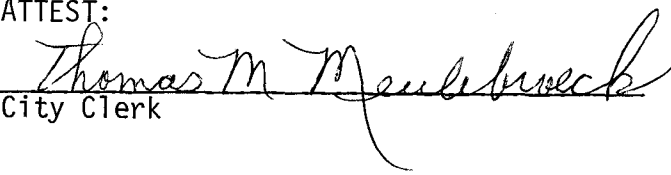
Berre and Hirmer voted in favor of the motion. Rogalski, Purrington, Ritter and Schlagel voted no. The motion was defeated.

Schlagel moved, Rogalski seconded, a public hearing be set for Tuesday, February 17, 1981 at 7:30 P.M. in the Council Chambers to discuss the ordinance prohibiting construction of a 4 lane road on Country Club Drive between County Road 7 and 4th Street in the City of Marshall, Minnesota. All voted in favor of the motion, except Berre who voted no.

Upon motion made by Hirmer, seconded by Schlagel, the meeting was adjourned. All voted in favor of the motion.


Mayor

ATTEST:


City Clerk

REGULAR MEETING - FEBRUARY 2, 1981

The regular meeting of the Common Council of the City of Marshall was held on February 2, 1981. The meeting was called to order by Mayor Schlagel at 7:30 P.M. In addition to the mayor the following members were present: Purrington, Ritter, Hoffman, Rogalski and Berre. Absent: Hirmer.

Berre moved, Ritter seconded, the approval of the minutes of the regular meeting of the Common Council held on January 19, 1981 and the minutes of the special meeting of the Common Council held on January 29, 1981 as filed with each member. All voted in favor of the motion.

A public hearing was held at this time on the possible acquisition of the abandoned Chicago Northwestern Railroad right-of-way property. All adjacent property owners along this railroad within the city limits of Marshall had been notified of this public hearing. Dr. John Feda, Superintendent of Marshall Public Schools indicated to the council that members from the Marshall Senior High School have maintained approximately 50' of the railroad right-of-way adjacent to the senior high school property and that they are interested in acquiring this property.

Ms. Betty Kerr of 512 East Main was concerned as to whether the property owners adjacent to this railroad line would be able to buy and later develop a roadway where the current railroad is to develop the back portion of their lots. City Engineer, Duane Aden indicated to the council and other members in attendance at the meeting that this may be a future possibility.

REGULAR MEETING - FEBRUARY 2, 1981 (CONT'D.)

Mr. Don Cool was concerned whether the Chicago Northwestern Railroad have been contacted in regard to the City of Marshall's interest. In response Mr. Aden indicated the railroad would accept such an offer but would prefer the city to make the offer and than the city sell or do as it wishes with this property.

Mr. Thane French who owns property along the railroad indicated he would like to see a street installed from "C" Street to Southview Drive.

Mr. Merle Krull of 109 "C" Street indicated to the council he would like to obtain the property adjacent to his property for possible expansion and/or beautification to his property.

Councilperson Purrington questioned the cost of a street in this area and who would bear the cost of the improvement. Mr. Aden indicated the cost would probably be approximately \$30.00 per front foot per side and would possibly be assessed to the benefited property owners.

Ms. Betty Sik of 825 West Main indicated to the council that they would like to acquire the property adjacent to theirs primarily for beautification purposes.

Mr. John Smith also indicated he would like to acquire the railroad property adjacent to his property.

Mr. John McKinley was concerned about the drainage on the edge of the Chicago Northwestern Railroad property adjacent to his, and requested that consideration be given to use the railroad right-of-way as a location for a drainage system that would discharge into the Diversion Channel.

Mr. David Schroeder of 109 South 11th Street indicated to the council that he is interested in purchasing the railroad property adjacent to his property and that he has some letters from the Chicago Northwestern Railroad indicating that he has first choice on this parcel of property.

Mr. John Middleton was interested in what the city's concern is and would the affected property owners be notified of the progress on the negotiations with the Chicago Northwestern Railroad Company.

Everyone in attendance at the meeting was informed that they would be informed of any progress with Chicago Northwestern on the acquisition of this abandoned property.

Mr. George Davis, Commissioner for Lyon County, indicated to the council that Lyon County is interested in purchasing the Chicago Northwestern property adjacent to the Court House area property owned by Lyon County.

Mr. Don Baker, manager of Hy-Vee, indicated they may be interested in purchasing the Chicago Northwestern railroad property adjacent to their property.

Bill Larson, representative for the Marshall Municipal Utilities, expressed their interest in acquiring the property adjacent to the Marshall Municipal Utilities plant and perhaps other locations that they have utility lines located thereon.

Mayor Schlagel indicated to the council and other members in attendance at the meeting that if the city would acquire this parcel of property it would make the best use out of it that is possible.

Councilperson Hoffman indicated that the railroad crossings within the City of Marshall are not all owned by the City of Marshall and that maybe the City of Marshall should work with the Marshall Municipal Utilities to acquire property for their use.

Mayor Schlagel indicated to the council and other members in attendance at the meeting that Mr. Elroy Regnier and Mr. Howard Rensink, West Main, are interested in acquiring the Chicago Northwestern railroad property adjacent to their property.

Mr. Gary DeCramer a spokesman for a group of farmers indicated he had spoke with Mr. Jim Nichols in regard to the Burlington Northern purchasing a portion of the Chicago Northwestern Railroad from Marshall to Canby and abandoning the portion from Tracy to Marshall and Canby to Gary, South Dakota, Mr. Nichols had informed him that this may be a possibility.

REGULAR MEETING - FEBRUARY 2, 1981 (CONT'D.)

Mr. Les Vandeputte, farmer, indicated that some of the farmers are interested in purchasing the Chicago Northwestern railroad property for agricultural purposes.

Mr. John Brobst, President of the Marshall Area Chamber of Commerce, indicated to the council and other members in attendance at the meeting that GTA Elevator had some contracts with the Transportation Committee of the Chamber of Commerce indicating they would like to maintain and keep open the stretch of track beyond the GTA Elevator but that it did not appear feasible.

Mr. Willard Engels, Manager of Lyon County Cooperative, expressed their concern in purchasing the Chicago Northwestern railroad property adjacent to theirs.

Councilperson Rogalski suggested the city council make an offer to Chicago Northwestern Railroad for procurement of the property within the City of Marshall by March 31, 1981.

It was the general feeling of many people in attendance at this meeting that a citizen committee of people within the City of Marshall be formed to try to work out a solution to the acquisition of the Chicago Northwestern railroad property. A committee was appointed of the following people: George Davis, Willard Engels, Betty Kerr, Don Cool, Bruce Jenks, Chuck Hess, Merle Krull, Thane French, a representative from the Marshall Municipal Utilities. The farmers group was to work independently and may latter combine efforts. Bob Hirmer was appointed to represent the city's interest.

Upon recommendation of the Legislative and Ordinance Committee, Hoffman moved, Berre seconded, the introduction of an ordinance modifying the license fee for on-sale beer license. This modification would provide that the fee for on-sale beer license be set at \$50.00 for organizations that have club and/or liquor license and that the fee will be maintained at \$120.00 for organizations that do not have liquor and/or club license. All voted in favor of the motion.

Upon the recommendation of the Legislative and Ordinance Committee, Hoffman moved the introduction of an ordinance amending certain sections of the City Code, Chapter 6 regulating peddlers. This ordinance would provide for an increase in the bond requirement from \$1,000 to \$5,000 and that the license fee be retained at \$150.00. Due to the lack of a second the motion died.

Berre moved, Rogalski seconded, the introduction of an ordinance amending certain sections of the City Code, Chapter 6 regulating peddlers. This ordinance would provide for an increase in the bond requirement from \$1,000 to \$5,000 and set the license fee at \$400.00. Rogalski, Berre, Schlagel and Purrington voted in favor of the motion. Hoffman and Ritter voted no.

Upon recommendation of the Legislative and Ordinance Committee, Berre moved, Ritter seconded, the introduction of an ordinance amending certain sections of the City Code, Chapter 9. This ordinance refers to the parking for the physically handicapped, privileges, prohibitions and penalties. The police department is currently enforcing this ordinance under provisions to the State Statutes. The adoption of this ordinance would allow the fine revenue to be paid to the city rather than to the State of Minnesota. All voted in favor of the motion.

Purrington moved, Berre seconded, a discussion on the parking of vehicles in the downtown parking lots of the City of Marshall be added to the agenda at this time. All voted in favor of the motion.

Councilperson Purrington indicated to the council that there has been concern expressed by the downtown business merchants in regard to certain lots being filled early in the morning and not allowing for parking places for customers and that the meters along Lyon Street that are not being used could possibly be removed to allow for employee parking and that possibly parking fines be reduced from the \$2.00 to \$1.00. It was the recommendation of the Ways and Means Committee that certain areas of the H Parking Lot and the Running Parking Lot prohibit parking from 4 A.M. to 9 A.M. and that the meters on the North side of Lyon Street from 4th Street to 5th Street be temporarily removed and the fines for the parking meters be maintained at the \$2.00 charge. Purrington moved, Ritter seconded, the adoption of RESOLUTION NUMBER 435, SECOND SERIES and that the reading of the same be waived. Resolution Number 435, Second Series is a resolution prohibiting parking in certain sections of H Parking Lot and Running's Parking Lot from 4 A.M. to 9 A.M., the meters be removed on the North side of Lyon Street from 4th Street to 5th Street and the parking fines be maintained at \$2.00. All voted in favor of the motion, except Schlagel who voted no.

REGULAR MEETING - FEBRUARY 2, 1981 (CONT'D.)

A list of proposed 1981 Improvement Projects was submitted by the City Engineer. Hoffman moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 436, SECOND SERIES and that the reading of the same be waived. Resolution Number 436, Second Series is a resolution ordering the preparation of the engineer's feasibility report on the improvements. All voted aye.

Mr. Duane Aden, City Engineer, discussed with the council an agreement between the City of Marshall and Deutz & Crow as it relates to the acquisition of Parcel A for the Channel Parkway Project. This agreement provides for an offer of \$6,320 for Parcel A, provides for waste excavation and dirt to bring the Airwest Acres streets and lots up to grade.

Schlagel moved, Berre seconded, the proper city officials be authorized to enter into an agreement with Mr. Geoffrey Wold of ~~McGladrey~~ Hendrickson & Co., to do a feasibility study to determine whether the City of Marshall should computerize or not. The cost of this feasibility study will be a maximum of \$1,500 plus out of pocket expenses. All voted in favor of the motion.

Hoffman moved, Ritter seconded, the adoption of RESOLUTION NUMBER 437, SECOND SERIES and that the reading of the same be waived. Resolution Number 437, Second Series is a resolution authorizing the proper city officials to execute an agreement for land acquisition services between the Minnesota Department of Transportation and the City of Marshall. This agreement is for the purpose of appraising lands for easement or fee title acquisition that are located in the approach zones to the airport. All voted in favor of the motion.

A discussion was held at this time on the possibility of remodeling the entrance way to several of the storage buildings in the parking lot behind the Sears building along North 4th Street and North of the railroad tracks. It was the general consensus of the council that we use the facilities that we have at the Municipal Building for the parking of city vehicles and that the area to the rear of the Municipal Building be reserved for the parking of city vehicles.

A discussion was held at this time on the possibility of placing a flag pole and lights near the bandshell at Liberty Park. This proposal was submitted by the Police Auxiliary (wives). It was the general consensus of the council this project be referred to the City Administrator, but that a flag should not be left out over night.

Mr. Duane Aden, City Engineer, reviewed with the council a report on the flood management conference held on January 20, 1981. The relocating of the Mark Solyst property to 901 Boxelder Avenue which is in the flood plain prompted this conference.

Schlagel moved, Berre seconded, the next regular council meeting of the City of Marshall be rescheduled from Monday, February 16, 1981 to Tuesday, February 17, 1981. All voted in favor of the motion.

Schlagel moved, Ritter seconded, and it was unanimously approved that the following bills be authorized for payment: GENERAL FUND, Voucher No. 70166 through 70243; REVENUE SHARING FUND, Voucher No. 199; WASTEWATER FACILITIES FUND, Voucher No. 2175 through 2193; PARKING SYSTEM FUND, Voucher No. 2428 through 2436; SPECIAL ASSESSMENTS FUND, Voucher No. 122 through 123; and LIQUOR FUND, Voucher No. 26461 through 26488.

The following building permits and mobile home permits previously approved by the City Engineer were confirmed:

Walt Schroeder, Marshall
108 South 5th Street
Original Plat, Block 6,
Park of Lot 20
finish 3rd apartment unit
\$3,500

John Paxton, Marshall
113 South 4th Street
"A" Addition, Block 1
attached sign
\$1,700

SWesta Builders, Marshall
1105 Travis Road
Westmar Lots Addition, Block 2, Lot 2
Dwelling, \$46,000

Coudron Construction, Marshall
1503 Westwood Drive
Westwood Acres I, Block 3, Lot 6
sewing room in basement, \$3,100

John Paxton, Marshall
1500 Hahn Road
Industrial Park I, Block 7, Lot 1
shop, \$4,000

REGULAR MEETING - FEBRUARY 2, 1981 (CONT'D.)

Robert Tholen, Marshall
100 Tenth Street
Sunset View Addition,
Block 2, Lot 1
replace overhead door
and reside, \$900

Robert Tholen, Marshall
906 West College Drive
Section 5, Part of SE $\frac{1}{4}$
Demolition of Dwelling
\$0

James Schultz, Ghent
1247 Avalon
Camelot Square Mobile Home Park
Installation of mobile home

Philip G. Migis, Minneota
346 Timberlane Drive
Village Park Mobile Home Park
Installation of mobile home

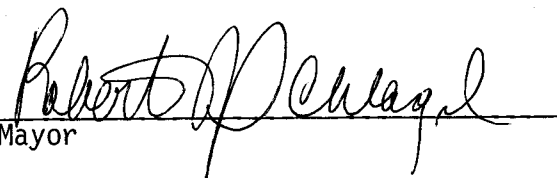
Mr. Duane Aden, City Engineer, reviewed with the City Council the various building and remodeling permits that were issued during 1980.

A brief discussion was held at this time on the different proposals for an ambulance system.

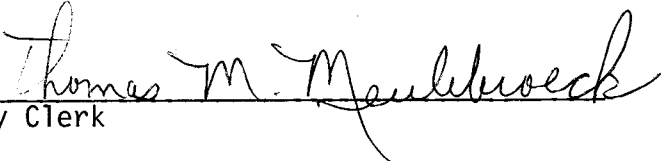
The city council informed the city administrator it is up to his jurisdiction to do when he wants the employee evaluations throughout the year.

A meeting was scheduled for Monday, February 9, 1981 at 8 P.M. for the council to meet with the Marshall Police Department to review the annual report.

Upon motion made by Schlagel, seconded by Ritter, the meeting was adjourned. All voted aye.


Mayor

ATTEST:


City Clerk

REGULAR MEETING - FEBRUARY 17, 1981

The regular meeting of the Common Council of the City of Marshall was held on February 17, 1981. The meeting was called to order by Mayor Schlagel at 7:30 P.M. In addition to the Mayor the following members were present: Purrington, Ritter, Hirmer, Hoffman, Rogalski and Berre. Absent: none.

Berre moved, Schlagel seconded, the approval of the minutes of the regular meeting of the Common Council held on February 2, 1981 as filed with each member. All voted in favor of the motion.

A public hearing was held at this time on an ordinance prohibiting the construction of a roadway with more than 2 continuous lanes on any part of Country Club Drive between South 2nd Street and the intersection of Country Club Drive & Lyon County Road 7. Mr. John Brobst, President of the Marshall Area Chamber of Commerce, advised the council that he was not giving an opinion of the area Chamber of Commerce at this time, but was passing on the comments of various committees of the Chamber of Commerce. It seemed to be the general feeling from the people on the committees of the Chamber of Commerce that they were in favor of the construction of a 4 lane road on Country Club Drive.

Mr. Charles Overby, Principal of East Side Grade School, felt that making a 4 lane road out of Country Club Drive would be an additional burden to the children as is East College Drive near the East Side Grade School.

Mr. Andy Maertens felt with the 4 lane going around the City of Marshall that more people should use this than to construct a 4 lane on Country Club Drive.

REGULAR MEETING -FEBRUARY 17, 1981 (CONT'D.)

Mr. Alan Holmes was concerned as to what effect the Channel Parkway would have on Country Club Drive. Mr. Duane Aden, City Engineer, informed him and other members in attendance at the meeting that it would have some impact on Country Club Drive with the people going to the Industrial Park would probably use the Channel Parkway. Mr. Aden also informed them that in 1966 there were approximately 3,000 vehicles using Country Club Drive and now with the Highway 23 by-pass there are still approximately 4,000 vehicles using Country Club Drive, even after 2,000+ vehicles are using the relocated trunk highway.

Mr. Jerry Parnell felt there had to be something done with this road but the concern should be for a 2 lane not a 4 lane.

Councilperson Rogalski felt that with the current facts it is hard to predict at this time what the traffic patterns will be 10 to 20 years from now.

Mr. Alan Holmes felt the improvement to Country Club Drive was not justified at this time since the traffic counts that have been talked about on this road in the past could not in his opinion be confirmed.

Mr. John Thomas, 404 Kathryn, felt that there was no need for a 4 lane divided roadway on Country Club Drive. Mr. Thomas was relating now with the past and felt that there was no need for them in the past so there is no need now.

Councilperson Rogalski felt that it was a good decision to use the turnback funds for the improvement of Country Club Drive since so many people feel there needs to be an improvement to this road and now is a good time to do it instead of 20 years down the road when the taxpayers of the City of Marshall would have to pay for it.

Mr. Steve Lavoie, 811 Westmar, definitely felt that something had to be done to Country Club Drive. He was concerned about the number of accidents on Country Club Drive and if this road was improved to a 4 lane would this eliminate the number of accidents and if it was properly signalized would it be a more safer roadway?

Mayor Schlagel expressed his opinion and felt what the council's intention was to make this a more safer roadway, a safer pedestrian crossing on Country Club Drive and the South 4th Street intersection, and that they were not wasting taxpayers money.

Ms. Sally Tobey felt that if they improve Country Club drive to a 4 lane roadway from South 4th Street to the County Road 7, Hwy. 23 intersection that they were hastening improvement for a 4 lane road through the City of Marshall.

Berre moved, Hirmer seconded, the introduction of an ordinance regulating the construction of 2 continuous lanes on any part of Country Club Drive between County Road 7 and South 2nd Street in the City of Marshall, Minnesota. Berre and Hirmer voted in favor of the motion. Rogalski, Purrington, Ritter, Hoffman and Schlagel voted no.

Schlagel moved, Ritter seconded, the adoption of RESOLUTION NUMBER 437A, SECOND SERIES and that the reading of the same be waived. Resolution Number 437A, Second Series is a resolution calling for a special election on March 31, 1981 for the improvement to Country Club Drive between County Road 7 and South 4th Street in the City of Marshall, Minnesota. All voted in favor of the motion.

At this time a second public hearing was held on the use of Revenue Sharing Funds for the fiscal year 1981. Councilpersons Rogalski and Hoffman felt with the anticipated cutbacks in Revenue Sharing Funds for cities, counties and states the request for economic development should be granted and that the remainder of the Revenue Sharing proceeds be used for the general operations of city government.

Councilperson Berre felt the original intent of Revenue Sharing Funds was not for day to day operations and that some of the money should be used for local functions.

Representatives from Project Mainstay and Southwest Sexual Assault Program were in attendance at the meeting to discuss their organizations and requests for Revenue Sharing Funds. These organizations indicated that there were more likely to receive State funding if they were able to be supported locally.

REGULAR MEETING - FEBRUARY 17, 1981 (CONT'D.)

At the first public hearing held on the use of the General Revenue Sharing Funds a request was received from the Marshall Softball Association, which \$15,000 included the resodding of 2 fields at the Softball Complex. An alternative of underground irrigation instead of resodding was discussed at this time which would possibly cost \$4,000.

Hoffman moved, Rogalski seconded, the following requests for 1981 Revenue Sharing Funds be approved: Dutch Elm Disease, \$10,000; Data Processing, \$15,000; Economic Development, \$2,950; and the purchase of a front end loader for the City of Marshall, Street Department, \$66,432. All voted in favor of the motion.

Ritter moved, Berre seconded, Project Mainstay's request of \$4,500 and Southwest Sexual Assault Program request of \$1,500 be approved uses of General Revenue Sharing Funds for 1981. Berre, Ritter, Purrington and Schlagel voted in favor of the motion. Hoffman, Rogalski and Hirmer voted no.

Rogalski moved, Schlagel seconded, \$85,312 of the 1981 General Revenue Sharing Funds be used for the improvement of the city streets within the City of Marshall. All voted in favor of the motion.

There was no action taken at this time on the request of the Softball Association of \$39,306.

Berre moved, Purrington seconded, the adoption of an Ordinance amending certain sections of the City Code, Chapter 6 regulating peddlers. This ordinance would increase the fee for peddlers from \$150 to \$400 and the bond requirement from \$1,000 to \$5,000. Schlagel moved, to amend the adoption of the ordinance by setting the fee at \$300 and the bond requirement at \$5,000. Due to the lack of a second the motion died. Rogalski, Berre and Purrington voted in favor of the adoption of the ordinance. Ritter Hirmer, Hoffman and Schlagel voted no. The adoption of the ordinance was defeated.

Schlagel moved, Rogalski seconded, the introduction of an ordinance amending certain sections of the City Code, Chapter 6 regulating peddlers. This ordinance would increase the license fee for peddlers from \$150 to \$200 and increase the required bond from \$1,000 to \$5000. All voted in favor of the motion, except Berre who voted no.

The next item on the agenda was the consideration of the adoption of an ordinance amending certain sections of the City Code, Chapter 5 in regard to the annual on-sale beer license fee. Rogalski moved, Schlagel seconded, the introduction of the ordinance be amended to allow for the beer license fee be set by resolution. All voted in favor of the motion.

Hoffman moved, Hirmer seconded, the adoption of ORDINANCE NUMBER 96, SECOND SERIES and that the reading of the same be waived. Ordinance Number 96, Second Series is an ordinance amending certain sections of the City Code, Chapter 9. This ordinance refers to the parking for the physically handicapped, privileges, prohibitions and penalties and allows for the fine revenue to be paid to the City of Marshall rather than the State of Minnesota. All voted in favor of the motion.

Purrington moved, Hoffman seconded, the request for a transient merchants permit from United Laboratories of America to do photo development be tabled. This permit was tabled to allow for the adoption of the ordinance setting the fee and bond required for transient merchants licenses. All voted in favor of the motion.

A request was received from the Marshall Hotel for additional overnight parking spaces in the H parking lot. Councilperson Purrington indicated to the council that the downtown business association has agreed to pay for the printing of the tickets for the Marshall Hotel to issue to its guests to park in the H parking lot until 9 A.M. Purrington moved, Hoffman seconded, the downtown business association be allowed to provide tickets to the Marshall Hotel for its guests to allow them to park in the H parking lot until 9 A.M. All voted in favor of the motion.

A discussion was held at this time in regard to the City of Marshall entering into contracts with surrounding townships for fire protection services for the period May 1, 1981 through April 30, 1982. Mr. Emil Noyes, a member of the Lynd Township Board was requesting that the Lynd Township be split so that the Village of Lynd could provide fire protection to a portion of that township. Mr. Glen Korman, a member of the Lynd Fire Department, indicated to the council that they had received calls to attend fires but were not able to respond because they were not covered within their jurisdiction.

REGULAR MEETING - FEBRUARY 17, 1981 (CONT'D.)

Mr. Ed Scheele, Fire Chief for the City of Marshall, indicated to the council and other members in attendance at the meeting the Marshall Fire Department would be willing to work out an agreement with the Lynd Fire Department to allow them to respond to fires in areas surrounding Lynd.

Hirmer moved, Schlagel seconded, the proper city officials be allowed to enter into contracts for fire protection with the surrounding townships for the period May 1, 1981 through April 30, 1982 at the rates as proposed which amounts to approximately 30% increase. All voted in favor of the motion.

Purrington moved, Schlagel seconded, a variance adjustment permit be granted to Brian Broman of 110 South High Street to construct an addition to his residence of a family room and bedroom which would result in a side yard of 3½' which is less than the 5' required by City Code. All voted in favor of the motion.

Upon the recommendation of the Airport Commission, Hirmer moved, Ritter seconded, the proper city officials be allowed to enter into a farm lease agreement with Lindsley Farms (Warren & Douglas) for the 280 acres of airport property at \$76.00 per acre. This lease would be for a 2 year period with the cash rent being paid by March 1st of each year. This contract is being drafted by the City Attorney. All voted in favor of the motion.

Schlagel moved, Ritter seconded, the adoption of RESOLUTION NUMBER 438, SECOND SERIES and that the reading of the same be waived. Resolution Number 438, Second Series is a resolution opposing the reallocation of Fire State Aid to any purpose other than presently mandated. This resolution was adopted upon the request of the Marshall Volunteer Fire Department. The Marshall Volunteer Fire Department is opposed to the League of Minnesota Cities proposal to allow the use of the 2% State Excise Tax on fire insurance premiums for other fire department expenses other than the pension plan that was originally mandated. All voted in favor of the motion.

Hoffman moved, Berre seconded, the proper city officials be authorized to begin condemnation process for the right-of-way on all parts of the Channel Parkway Project. All voted in favor of the motion.

Purrington moved, Hirmer seconded, the proper city officials be allowed to advertize for bids for the Channel Parkway Project to be received on April 6, 1981. All voted in favor of the motion.

Schlagel moved, Ritter seconded, the following individuals be appointed to the Park, Recreation and Community Education Board effective March 1, 1981: Robert Maddox a 1 year position as a representative of the religious community; Ray Newell a 2 year term to represent the senior citizen community; Dean Holm to represent the rural area for a 3 year position; and Jackie Redlin to fill the vacancy of Tom Halback which is to expire February 28, 1982. All voted in favor of the motion.

Purrington moved, Ritter seconded, a license be granted to Big Bob's Towing Service to tow and store vehicles. The fee for this license is \$150.00. This license will be granted upon the applicant providing evidence he meets all the conditions as required in Section 6.42, Subdivision 6 of the ordinance. All voted in favor of the motion.

Purrington moved, Ritter seconded, the adoption of RESOLUTION NUMBER 439, SECOND SERIES and that the reading of the same be waived. Resolution Number 439, Second Series is a resolution accepting the engineers feasibility report and calling for a hearing on the 1981 improvements. This hearing has been set for March 16, 1981. All voted in favor of the motion.

Schlagel moved, Hoffman seconded, the appointment of the Parks, Recreation and Community Education Director, Harry Weilage, as the City Forester. All voted in favor of the motion.

Hirmer moved, Hoffman seconded, the introduction of an ordinance amending Section 10.4, Subdivision 2B be amended to allow for the City Forester to be designated by the City Council. All voted in favor of the motion.

Councilperson Purrington indicated to the council the committee appointed to acquire the Channel Parkway Property is negotiating with Sandy Crow the price for waste excavation and the dirt needed to bring Airway Wests Acres streets and lots up to grade.

REGULAR MEETING - FEBRUARY 17, 1981 (CONT'D.)

Hirmer moved, Rogalski seconded, and it was unanimously approved that the following bills be authorized for payment: WASTEWATER FACILITIES FUND, Voucher No. 2194 through 2213; LIQUOR FUND, Voucher No. 26489 through 26512; DEBT SERVICE FUND, Voucher No. 1552 through 1554; SPECIAL ASSESSMENTS FUND, Voucher No. 124 through 126; PARKING SYSTEM FUND, Voucher No. 2437 through 2444; GENERAL FUND, Voucher No. 70244 through 70344.

The following building permits and mobile home permits previously approved by the City Engineer were confirmed:

Bob Williams, Marshall
303 North Hill Street
Schultz, Add., Block 3, Lot 11
fireplace, shelves, basement
partition revisions, \$5,000

Slagel & Wambeke, Marshall
1305 Horizon Drive
Sunrise Park Add., Block 5, Lot 12
finish basement, \$5,800

Dan Schwab, Marshall
1237 Avalon Avenue
Camelot Square Mobile Home Park
installation of mobile home

Eugene & Janet Pequin, Marshall
306 Rainbow Drive
Section 5, SE¼
dwelling, \$47,200

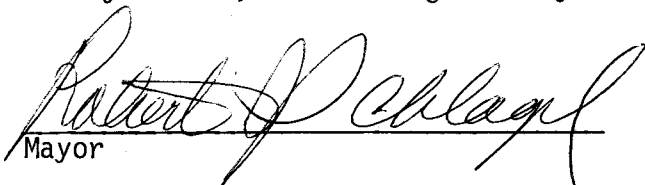
J. F. Taylor & Sons, Marshall
401 Hackberry Place
Southview Second Subdivision
Block 1, Lot 1 and Part of 2
4 plex apartment
\$114,000

City Attorney, Brian Murphy, indicated to the council that he and councilperson Hirmer had corresponded with the Marshall Municipal Utilities in acquiring the railroad right-of-way property from the Marshall Municipal Utilities Plant to the East edge of the City of Marshall.

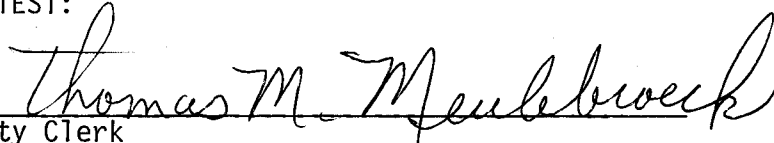
The condemnation process of the Channel Parkway property was discussed at this time.

Hirmer moved, Schlagel seconded, the proper city officials be allowed to proceed with the necessary negotiations with Sandy Crow and the Chicago Northwestern Railroad to acquire the necessary property for the Channel Parkway Project. All voted in favor of the motion.

Upon motion made by Schlagel, seconded by Hirmer, the meeting was adjourned. All voted aye.


Mayor

ATTEST:


City Clerk

REGULAR MEETING - MARCH 2, 1981

The regular meeting of the Common Council of the City of Marshall was held on March 2, 1981. The meeting was called to order by Mayor Schlagel at 7:30 P.M. In addition to the mayor the following members were present: Purrington, Ritter, Hirmer, Hoffman, Rogalski and Berre. Absent: none.

Rogalski moved, Berre seconded, the approval of the minutes of the regular meeting of the Common Council held on February 17, 1981 as filed with each member. All voted in favor of the motion.

Hirmer moved, Ritter seconded, the adoption of ORDINANCE NUMBER 97, SECOND SERIES and that the reading of the same be waived. Ordinance Number 97, Second Series is an ordinance amending certain sections of the City Code, Chapter 10. This ordinance amends the definition of a tree inspector, which means such "employee" as the City Council may designate. All voted in favor of the motion.

Hirmer moved, Hoffman seconded, the adoption of ORDINANCE NUMBER 99, SECOND SERIES and that the reading of the same be waived. Ordinance Number 99, Second Series is an ordinance amending certain sections of the City Code, Chapter 6 regulating peddlers. This ordinance allows for the license fee for the peddler to be \$200 and the bond requirement to be \$5,000. All voted in favor of the motion.

A request had been received from United Laboratories for a transient merchants license for photo processing. It was the general consensus of the council that the City Clerk send a letter to United Laboratories informing them of the new fee requirement and bond requirement and to wait for the approval of this license until a response is received from United Laboratories.

Hirmer moved, Berre seconded, the introduction of an initiative ordinance regulating the construction of 2 continuous lanes on Country Club Drive between County Road 7 and South 2nd Street in the City of Marshall, Minnesota.

Mr. Alan Holmes, a member of the committee opposed to the construction of Country Club Drive, submitted the following proposed ordinance: The City of Marshall shall not authorize, approve or appropriate any Federal, State or City funds for the construction of a roadway with more than 2 continuous lanes on any part of Country Club Drive between South 2nd Street and the Intersection of Country Club Drive with Lyon County Road 7. The shoulder to shoulder or curb to curb width of this roadway shall not exceed 36 feet and shall not involve the expenditure of more than \$250,000 in State, City or Federal funds. It is the intention of this committee to circulate a petition for referendum to adopt this ordinance.

Councilperson Hirmer addressed the committee's proposed ordinance, indicating that there is a general feeling that there has to be some improvements to Country Club Drive and with the proposed ordinance now presented by Mr. Holmes they are just playing games with the City of Marshall.

At this time Hirmer moved, Schlagel seconded, to call for the question. All voted in favor of the motion. All voted in favor of the original motion to introduce the ordinance which was defeated at the regular meeting held on February 17, 1981.

Hirmer moved, Schlagel seconded, the City Engineer be authorized to develop a design which would provide for a 2 lane roadway on Country Club Drive from the Intersection of Country Club Drive and County Road 7 to South 2nd Street which would be 54 feet in width, having a median and turning lanes. All voted in favor of the motion, except Hoffman who voted no.

Purrington moved, Berre seconded, the City of Marshall provide funds for a fully signalized intersection at the intersection of South 4th Street and Country Club Drive and that this improvement be included with the design of the improvement to Country Club Drive. All voted in favor of the motion, except Hirmer and Hoffman who voted no.

A request was received from R.E.A.L., Rural Enterprises for Acceptable Living Inc., an organization for the handicapped persons, for 2 reserved parking spaces on the East side of South 4th Street immediately Northerly of the alley.

Ritter moved, Hirmer seconded, the adoption of RESOLUTION NUMBER 440, SECOND SERIES and that the reading of the same be waived. Resolution Number 440, Second Series is a resolution restricting parking on the East side of South 4th Street meters 446 and 447 for handicapped persons. All voted in favor of the motion.

REGULAR MEETING - MARCH 2, 1981 (CONT'D.)

Schlagel moved, Ritter seconded, the approval of a consumption and display liquor license for the American Legion Club Post 113 at a pro-rated fee of \$100. All voted in favor of the motion.

Two parcels of property requested to be annexed into the City of Marshall were discussed at this time. The first parcel of property is on the East side of South 4th Street South of Freedom Park which is an area 175 feet by 118 feet. The other parcel of property is the land located between Saratoga Street and Block 6 of Viking Addition and between James Avenue and ½ block South of Robert Street. City Attorney, Brian Murphy discussed with the council the various procedures to annex property into the City of Marshall for various sizes of property. Hirmer moved, Ritter seconded, the proper city officials be authorized to proceed with the annexation of the property between Saratoga Street and Southview Drive. After considerable discussion this motion and second were withdrawn. Pursuant to Minnesota Statutes 414.033, Subdivision 5, Schlagel moved, Berre seconded, the annexation of the property between Saratoga Street and Block, 6 Viking Addition and between James Avenue and ½ block South of Robert Street be denied. All voted in favor of the motion.

Pursuant to Minnesota Statutes, 414.033, Subdivision 5, Hoffman moved, Hirmer seconded, the annexation of the property on the East side of South 4th Street South of Freedom Park be denied. All voted in favor of the motion.

Director of Public Safety, Garry Rick discussed with the council at this time a request for 2 additional temporary employees to process the back log in parking tickets. Hoffman moved, Ritter seconded, the approval of 2 temporary positions for the Police Department to work 32 hours per week at a rate of \$3.15 per hour and to be funded under Parking System. Hirmer moved, Hoffman seconded, the motion be amended that 1 temporary position be terminated at the end of 2 months and the other temporary position be terminated at the end of 6 months and the parking ticket situation be reviewed at that time. All voted in favor of the amended. All voted in favor of the motion as amended.

Ritter moved, Schlagel seconded, Harold McDermott and Shirley Anderson be reappointed to the Parks, Recreation and Community Education Board for a 3 year period to begin March 1, 1981 and to expire February 28, 1984. All voted in favor of the motion.

Director of Public Safety, Garry Rick and Sergeant, Lowell Rademacher were in attendance at the meeting to discuss with the council members the comprehensive general plan for Civil Defense for the City of Marshall.

Hirmer moved, Hoffman seconded, the adoption of RESOLUTION NUMBER 441, SECOND SERIES and that the reading of the same be waived. Resolution Number 441, Second Series is a resolution adopting the comprehensive general plan for Civil Defense for the City of Marshall. This plan is to also include reference to the Mayor. All voted in favor of the motion.

Berre moved, Schlagel seconded, the adoption of ORDINANCE NUMBER 98, SECOND SERIES and that the reading of the same be waived. Ordinance Number 98, Second Series is an ordinance amending certain sections of the City Code. This ordinance provides for the beer license fee to be set by resolution. All voted in favor of the motion.

The next item on the agenda was the adoption of a resolution for on-sale beer license fees for businesses that possess annual on-sale liquor license and an on-sale club license. This item was tabled until the next regular meeting to be held on March 16, 1981 to provide for the publication of Ordinance Number 98, Second Series which allows for the fee to be set by resolution.

Hirmer moved, Ritter seconded, and it was unanimously approved that the following bills be authorized for payment: GENERAL FUND, Voucher No. 70345 through 70452; SPECIAL ASSESSMENT FUND, Voucher No. 127 through 129; PARKING SYSTEM FUND, Voucher No. 2445 through 2450; WASTEWATER FACILITIES FUND, Voucher No. 2214 through 2241; and LIQUOR FUND, Voucher No. 26513 through 26538.

The following building permits previously approved by the City Engineer were confirmed:

Roy K. Larson, Marshall
414 North 7th Street
Section 4, Part of NW¼
Dwelling, \$45,000

Douglas A. Kraft, Marshall
904 East Main Street
Section 9, Part of NE¼
Free standing sign, \$0

REGULAR MEETING - MARCH 2, 1981 (CONT'D.)

Daniel L. Taft, Marshall
1108 East College Dr.
Section 3, SW¼
Partition change & free
standing sign, \$200

Alan Deuel, Marshall
100 Tenth Street
Sunset View Addition,
Block 2, Lot 1
Attached sign, \$100

David Gruhot, Marshall
205 North 3rd St.
Original Plat, Block 15,
Part of Lot 1 - 3
Move out dwelling, \$0

Geske Building, Marshall
206 South 1st Street
Blakes Addition, Block 6, Lot 13
Reside residence, \$2,700

Ronald Hoppe, Little Suamico, Wis.
315 West College Drive
Section 9, Part of NW¼
Computer room, \$2,700

Richard L. & Pauline Welvaert, Marshall
714 Nuese Lane
Nuese 2nd Add., Block 5, Lot 2
Dwelling, \$55,000

Teresa Kerkvliet, Marshall
205 North 6th Street
Stewart & Jenkins Add., Block 5,
Part of Lot 16
Remodel kitchen, \$2,500

Richard Wurster, Marshall
614 Soucy Drive
Soucy Addition, Lot 23
Fireplace and Chimney
\$760

Councilperson Purrington thanked everyone for their held on the success of the Community Forum and circulated to the council members responses from people who attended the Community Forum.

A meeting was set for March 12, 1981 of the Ways and Means Committee and the downtown business men to discuss the results of the removal of the parking meters.

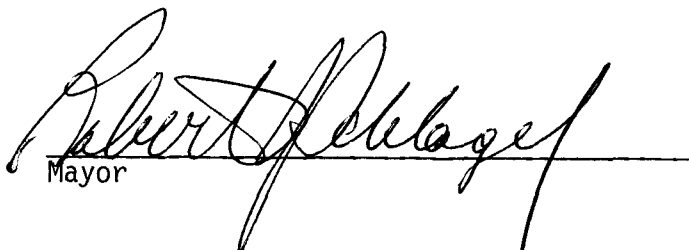
Mr. Duane Aden, City Engineer, discussed with the council proposed agreements with Goodwin and Joe Sonstegard and Deutz & Crow Sand & Gravel Co., in regard to the property needed for the Channel Parkway Project.

City Attorney, Biran Murphy presented a check in the amount of \$21,280 from Lindsley Farms for 1 years cash rent for the airport property. Mr. Murphy informed the council that he included in the farm lease an option to extend the lease for an additional 2 years beyond the original contract.

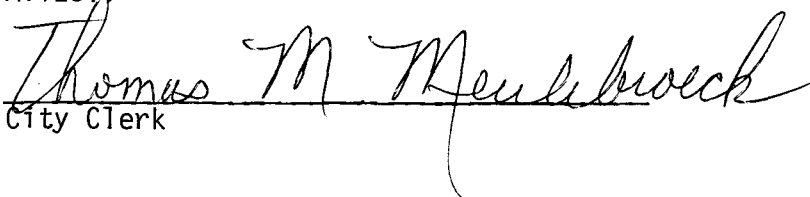
Hoffman moved, Hirmer seconded, the proper city officials be allowed to execute the agreement with Lindsley Farms for the lease of the airport property for a 2 year period beginning March 1, 1981 and expiring February 28, 1983. All voted in favor of the motion.

A brief discussion was held at this time on the ordinance in regard to empty garbage cans in the streets and garbage being spilled from other garbage cans.

Upon motion made by Schlagel, seconded by Hirmer, the meeting was adjourned. All voted in favor of the motion.


Mayor

ATTEST:


City Clerk

REGULAR MEETING - MARCH 16, 1981

The regular meeting of the Common Council of the City of Marshall was held on March 16, 1981. The meeting was called to order by Mayor Schlagel at 7:30 P.M. In addition to the mayor the following members were present: Purrington, Ritter, Hirmer, Hoffman, Rogalski and Berre. Absent: none.

Hirmer moved, Hoffman seconded, the approval of the minutes of the regular meeting of the Common Council held on March 2, 1981 as filed with each member. All voted in favor of the motion.

A public hearing was held at this time on the Preliminary Plat for Viking Addition, Plat No. III. Upon the recommendation of the Planning Commission, Hirmer moved, Berre seconded, the Preliminary Plat be denied until such time that a preliminary plat would be developed that would include additional property at least to the Southview Drive location.

A petition was presented to the council by Claudia Boysen on behalf of the residents in this area opposing the extension of James Avenue to Saratoga Street within Viking Addition, Plat No. III. All voted in favor of the motion.

A public hearing was held at this time on the public improvement projects for 1981 construction. Mr. Duane Aden, City Engineer, reviewed each of the projects with the council members and other concerned citizens in attendance at the meeting. Mr. Aden was in receipt of a request from Marshall Industries Foundation and PPG to delay the curb and gutter and street grading and gravel base projects on Erie Road and Hahn Road.

A petition was received at this time from the property owners in the area of Peltier, Simmons and Glen Street who were opposed to the bituminous surfacing of these streets. Ms. Laura Engberg of 318 Simmons Street was opposed to the bituminous surfacing of the streets in this area because many of the people could not afford the cost of this project.

Mr. Henry Racette of 600 Kendall Street was concerned about the drainage in this area, the width of the street and the cost.

Mr. Aden informed him and other members in attendance at the meeting with the current conditions water does not drain from the streets and with the bituminous surfacing it would help remove the water from the streets. The bituminous surfacing would be from sidewalk to sidewalk and in those areas where there is no sidewalk it would be on the City right-of-way. Mr. Aden also reviewed the various costs for bituminous surfacing in this area.

A petition had been received for bituminous surfacing of the alley in Block 3, Morningside Heights Addition. Mr. Kenneth Moehle of 109 Hill Street was opposed to the bituminous surfacing of this alley. He felt that if this alley had a bituminous surfacing the water would run off the sides of the alley on to the property owners property and form ruts and gulleys in their property on the sides of the bituminous surfacing. Mr. Aden noted that the alley could be constructed so that the drainage would flow down the center of the alley until it reached College Drive.

Mr. Martin Marthaler of 103 "G" Street was concerned about the cost and benefits of the watermain replacement on "G" Street. Mr. Aden informed him the cost would be approximately \$566.00 per lot and with the replacement of this watermain they would receive uninterrupted service, better fire protection, and it would be more dependable.

Mr. Albert Serreyn was concerned about the cost of the watermain installation on Lyon Street and the storm sewer cost which are included in the Municipal State Aid Project. Mr. Aden informed him the watermain installation would cost approximately \$8.82 per front footage and that the storm sewer installation would cost approximately \$1,200 per acre. He gave an example of a typical lot in this area which is approximately $\frac{1}{4}$ of an acre.

Hirmer moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 442, SECOND SERIES and that the reading of the same be waived. Resolution Number 442, Second Series is a resolution ordering the project (Curb & Gutter, Project No. CG 1981A), approving the plans and specifications, and authorizing the advertisement for bids to be received on April 20, 1981. Hahn Road and Erie Road are to be eliminated from this project. All voted in favor of the motion.

REGULAR MEETING - MARCH 16, 1981 (CONT'D.)

Purrington moved, Ritter seconded, the adoption of RESOLUTION NUMBER 443, SECOND SERIES and that the reading of the same be waived. Resolution Number 443, Second Series is a resolution ordering the project (Street Grading and Gravel Base, Project No. SG-GB 1981A), approving the plans and specifications, and authorizing advertisement for bids to be received on April 20, 1981. Erie Road and Hahn Road are to be excluded from this project. All voted in favor of the motion.

Purrington moved, Berre seconded, the adoption of RESOLUTION NUMBER 444, SECOND SERIES and that the reading of the same be waived. Resolution Number 444, Second Series is a resolution ordering the project (Bituminous Surfacing, Project No. BS 1981A), approving the plans and specifications, and authorizing the advertisement for bids to be received on April 20, 1981. The proposed bituminous surfacing on Glen Street, Simmons Street, Peltier Street and the alley in Block 3 of Morningside Heights Addition are to be eliminated from this project. All voted in favor of the motion.

Ritter moved, Rogalski seconded, the adoption of RESOLUTION NUMBER 445, SECOND SERIES and that the reading of the same be waived. Resolution Number 445, Second Series is a resolution ordering the project (Sanitary Sewer, Project No. SAS 1981A), approving the plans and specifications, and authorizing the advertisement for bids to be received on April 20, 1981. All voted in favor of the motion.

Berre moved, Hirmer seconded, the adoption of RESOLUTION NUMBER 446, SECOND SERIES and that the reading of the same be waived. Resolution Number 446, Second Series is a resolution ordering the project (Watermain, Project No. W 1981A), approving the plans and specifications, and authorizing the advertisement for bids to be received on April 20, 1981. All voted in favor of the motion.

Hirmer moved, Purrington seconded, the adoption of RESOLUTION NUMBER 447, SECOND SERIES and that the reading of the same be waived. Resolution Number 447, Second Series is a resolution ordering the project (Municipal State Aid Project NO. 139-123-01), approving the plans and specifications, and authorizing the advertisement for bids to be received on April 20, 1981. This project includes Curb & Gutter, Street Grading and Bituminous Base, Bituminous Surfacing and Storm Sewer. All voted in favor of the motion.

Berre moved, Hirmer seconded, the adoption of ORDINANCE NUMBER 100, SECOND SERIES and that the reading of the same be waived. Ordinance Number 100, Second Series is an ordinance restricting the construction of 2 continuous lanes on Country Club Drive between County Road 7 and South 2nd Street in the City of Marshall, Minnesota. Mr. Alan Holmes, a member of the committee opposed to the construction on Country Club Drive, requested some alterations in the plans for the improvement to Country Club Drive, that is, narrowing the width of the street at the pedestrian crossing on Country Club Drive and South 4th Street intersection. Rogalski moved, Hoffman seconded, to call for the question. All voted in favor of the motion, except Hirmer who voted no. All voted in favor of the adoption of the ordinance.

Hirmer moved, Rogalski seconded, the motion to set a special election for March 31, 1981 on the proposed ordinance on Country Club Drive improvement be rescinded. All voted in favor of the motion.

A discussion was held at this time on the approval of a resolution which would determine the amount of the annual beer license fee for those applicants that possess an annual on-sale liquor license and an on sale club license. Hirmer moved, Hoffman seconded, the adopting of this resolution be tabled to the next regular meeting on April 6, 1981. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Hirmer moved, Hoffman seconded, the introduction of an ordinance rezoning property from R-A to I-1 for the Marshall Fur Farm property which is owned by Marshall Foods, Inc. The adoption of this ordinance would provide for this land to be used for some type of limited industrial or commercial use rather than agricultural only. All voted in favor of the motion.

Caston Burros, Doug Bultman, Wayne Gordon and Francis Mortier, members of the Marshall Area Chamber of Commerce, were in attendance at the meeting to discuss with the council and other members in attendance the effect of a proposed parkway around the Northerly edge of the City of Marshall. They requested that a joint committee of City Council - County Board of Commission members, including the city and county engineer be formed to study the project as to location, costs, funding and related matters.

REGULAR MEETING - MARCH 16, 1981 (CONT'D.)

Mr. Geoffrey Wold of McGladrey Hendrickson & Co., was in attendance at the meeting to discuss with the council and other members in attendance at the meeting the computer feasibility study that has been completed. Councilperson Hoffman was concerned of what the total costs were going to be from McGladrey Hendrickson to follow through with the whole project thru implementation. A special meeting was set for March 30, 1981 at 6:30 P.M. for the council members and department heads and other affected personnel to discuss in more detail computerization for the City of Marshall.

Ritter moved, Purrington seconded, the adoption of RESOLUTION NUMBER 448, SECOND SERIES and that the reading of the same be waived. Resolution Number 448, Second Series is a resolution declaring cost to be assessed and calling for a hearing on the proposed assessment. This hearing has been set for April 6, 1981 for the proposed assessments for the construction and/or installation of bituminous surfacing (Project No. BS 1979A) for Garden Circle in Parkside Addition. All voted in favor of the motion.

Hirmer moved, Rogalski seconded, the approval of change order no. 1 for electrical revisions at the Main Lift Station in connection with the grit and grease removal project at the Wastewater Treatment Facility Plant in the amount of \$1,775. All voted in favor of the motion.

Mr. Garry Rick, Director of Public Safety, was in attendance to discuss with the council the possibility of the City of Marshall Police Department serving as a back up for the Lyon County Sheriff Department if there was ever a need that arose. He indicated to the council the Lyon County Sheriff's Department and the Minnesota Highway Department serve as a back up for the City of Marshall in case of need. He also indicated the City of Marshall would only act as a back up for the Lyon County Sheriff's Department if it had adequate personnel to take care of the city first. It was the general consensus of the council members that the City of Marshall Police Department be allowed to be a back up for the Lyon County Sheriff's Department in case of emergency need and only if adequate personnel were available.

In the 1981 budget for the Public Safety account number 4111.540, \$400 was approved for the purchase of a chair. Only \$225.00 of this money was spent, therefore the Director of Public Safety was requesting permission to purchase a \$140.00 file cabinet out of the remaining balance. Schlagel moved, Ritter seconded, the Department of Public Safety be allowed to purchase a file cabinet in the amount of \$140.00, and the approval of a supplemental appropriation of \$28,033 from contingency to account number 4110.100, \$5,500 to hire one temporary police officer through December 31, 1981; to 4111.100, \$9,360 additional amount for the reserves and to 4111.100, \$13,173 to hire 5 additional interns for a 26 week period beginning May 1, 1981. These additional personnel are hired for the period when the pipe line construction is being done. All voted in favor of the motion.

Schlagel moved, Ritter seconded, the approval of a supplemental appropriation from contingency to airport, machinery and equipment, 4880.530 in the amount of \$802 to allow for the purchase of wind, speed, and direction indicating system for the Marshall Municipal Airport. All voted in favor of the motion.

A request was received from the Amiret Township to reduce their ambulance contract due to the loss of population in the ambulance district. The population was revised from 71 persons to 42 persons, therefore reducing the contract from \$184.70 to \$116.76 per year. Purrington moved, Schlagel seconded, the ambulance contract for Amiret Township for January 1, 1981 through December 31, 1981 be revised from \$184.70 to \$116.76 per year. All voted in favor of the motion.

Mr. Duane Aden, City Engineer, discussed with the council and other members in attendance at the meeting the status of the flood plain project. It was the general consensus of the council members that a letter be directed from the mayor to our congressional delegates and the Upper Minnesota River Basin Commission and the Southern Minnesota Basin Board to request their support in regard to the City of Marshall flood plain project.

Councilperson Purrington indicated to the council a Ways and Means Committee meeting was held with the downtown businessmen in regard to the removal of the parking meters in the downtown parking lots. It was the general feeling of the businessmen that they were satisfied with the results from removing the parking meters. There was also some concern expressed about changing the hours from 4:00 A.M. - 9:00 A.M. to 4:00 A.M. to 8:15 A.M. during which there is to be no parking in a portion of the Running's Lot. This request was denied.

REGULAR MEETING - MARCH 16, 1981 (CONT'D.)

Councilperson Purrington also indicated there is still some concern about employees parking in the lots where the meters have been removed including the lot behind the Municipal Building.

Councilperson Berre attended the Legislative Conference on March 12, 1981 and discussed with the council the League's position on the issues that were discussed at this meeting. Councilperson Berre also indicated the League of Minnesota Cities would be taking its position on these various issues in the future at this conference instead of the League of Minnesota Cities Convention in June.

Hirmer moved, Schlagel seconded, and it was unanimously approved that the following bills be authorized for payment: WASTEWATER FACILITIES FUND, Voucher No. 2242 through 2271; REVENUE SHARING FUND, Voucher No. 200; PARKING SYSTEM FUND, Voucher No. 2451 through 2460; SPECIAL ASSESSMENTS FUND, Voucher No. 130 through 131; DEBT SERVICE FUND, Voucher No. 1555; LIQUOR FUND, Voucher No. 26539 through 26567; and GENERAL FUND, Voucher No. 70453 through 70500 and 71501 through 71581.

The following building permits previously approved by the City Engineer were confirmed:

Coudron Construction, Marshall
135 "E" Street
Riche Addition, Lot 17
finish basement, \$2,500

Ed Scheele, Marshall
313 North 8th Street
Section 5, NE $\frac{1}{4}$
equipment enclosure, \$500

Norman Gregerson & Alan Greig, Albany, MN
430 West Main Street
Original Plat, Block 8, Lot 16 & NW $\frac{1}{2}$ of 17
complete 3rd rental unit, \$3,500

SWesta Builders, Marshall
533 West Main Street
Original Plat, Block 6, Lot 18, 17
and part of 16,
remodel, \$5,000

Gary Otto, Marshall
502 North 3rd Street
Riverside Addition, Block 11, NE $\frac{1}{4}$ ly 50'
of Lot 9, Garage & workshop, \$5,500

Olson Electric Service Co., Inc, Marshall
1405 South Saratoga Street
Section 9, SE $\frac{1}{4}$
addition to warehouse, \$3,000

Lawrence Vlaminck, Marshall
121 Maple Street
Section 9, Part of NW $\frac{1}{4}$
finish basement including a bedroom,
\$1,500

Don Klein, Ghent, MN
300 "G" Street
Nuese's 2nd Addition, Block 3, Lot 1
dwelling, \$44,000

SWesta Builders, Marshall
326 West Main Street
Original Plat, Block 9, Lot 15 & 16
remodel, \$2,500

Mr. Duane Aden, City Engineer, informed the council that Mr. Ron Gilb, parking meter service worker, was disabled and unable to work at this time. He was requesting Mr. Gilb be allowed to continue under the city insurance plan. Hoffman moved, Hirmer seconded, Ron Gilb be allowed to continue under the City of Marshall's insurance plan through December 31, 1981 and that the total cost of the premium be paid by Mr. Gilb. This matter will be reviewed when the 1982 budget is being reviewed. All voted in favor of the motion.

Councilperson Hoffman requested the mayor appoint a committee to review the Northerly by-pass.

Councilperson Rogalski informed the council there is still a problem with debris in the area of Legion Field Road and Rainbow Drive in regard to the property owned by Deutz & Crow Company.

It was the general consensus of the Personnel Committee they be informed of all promotions and reclassifications before final approval is given by the City Administrator.

Mr. Harry Weilage, Director of Parks, Recreation and Community Education, was in attendance at the meeting to ask the council for their support to increase the per capita State Aid for Community Education. It was the general consensus of the council to support the increase in per capita State Aid for Community Education and that a letter be directed from the mayor to the proper legislative delegates.

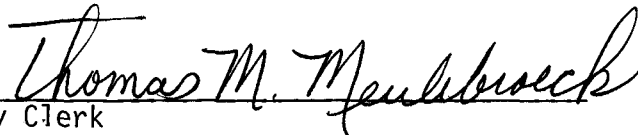
REGULAR MEETING - MARCH 16, 1981 (CONT'D.)

Mr. John Brobst, President of the Marshall Area Chamber of Commerce, distributed a letter to the council members expressing to the council the Chamber's support for the improvement to Country Club Drive.

Upon motion made by Schlagerl, seconded by Hoffman, the meeting was adjourned. All voted in favor of the motion.


Mayor

ATTEST:


City Clerk

SPECIAL MEETING - MARCH 30, 1981

A special meeting of the Common Council of the City of Marshall was held on March 30, 1981. The meeting was called to order by President Pro-Tem Robert Hirmer at 6:30 P.M. In addition to President Pro-Tem Hirmer the following members were present: Berre, Rogalski, Purrington, Ritter and Hoffman. Absent: Mayor Schlagerl.

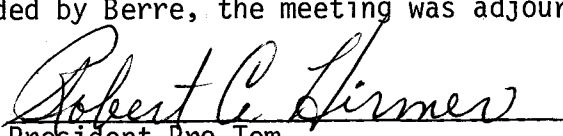
The purpose of this meeting was to discuss the computer feasibility report prepared by Geoffrey Wold of McGladrey Hendrickson & Co.

At this meeting various people spoke in regard to what effect a computer would have on various areas within the city offices. People addressing the issue other than council members were James Heller, Calvin Barnett, Garry Rick, George Minehart, Thomas Meulebroeck, Al Rome and Clayton Peters.

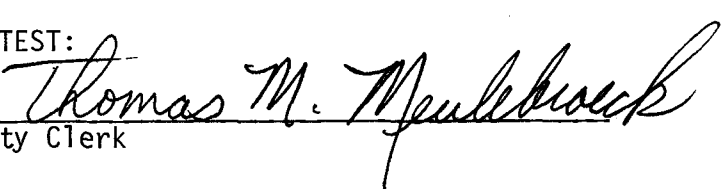
It was the general consensus of the council that they would like to be informed of the progress and be given an opportunity to express their concerns during the next phase of the project which is preparing the specifications and proposals. It was also suggested that the possibility of using hardware from a local concern be considered and bidding the software seperately.

Berre moved, Purrington seconded, the proper city officials be allowed to enter into a contract with McGladrey Hendrickson Co. to prepare the specifications and proposal for comupterizing for the City of Marshall at a fee not to exceed \$16,000. All voted in favor of the motion.

Upon motion made by Hoffman, seconded by Berre, the meeting was adjourned. All voted aye.


President Pro-Tem

ATTEST:


City Clerk

REGULAR MEETING - APRIL 6, 1981

The regular meeting of the Common Council of the City of Marshall was held on April 6, 1981. The meeting was called to order by Mayor Schlagel at 7:30 P.M. In addition to the Mayor the following members were present: Purrington, Ritter, Hirmer, Hoffman, Rogalski and Berre. Absent: none.

Hirmer moved, Rogalski seconded, the approval of the minutes of the regular meeting of the Common Council held on March 16, 1981 and the minutes of the special meeting of the Common Council held on March 30, 1981 as filed with each member. All voted in favor of the motion.

A public hearing was held at this time on the Bituminous Surfacing, Project No. BS 1979A, for Garden Circle. There were no affected property owners in attendance at the meeting. Purrington moved, Berre seconded, the adoption of RESOLUTION NUMBER 449, SECOND SERIES and that the reading of the same be waived. Resolution Number 449, Second Series is a resolution approving the assessment roll for Bituminous Surfacing, Project No. BS 1979A, for Garden Circle setting the interest rate at 8% with payment over a period of 8 years. All voted in favor of the motion.

Bids were received, opened and read at 3 o'clock P.M. on Monday, April 6, 1981 for the Channel Parkway Project, State Project No. 139-121-01, MSAS 121, Minnesota Project No. M 57641. The bids received, opened and read were from Arcon Construction Co., Mora, Minnesota, \$1,041,316.38; Duininck Bros. & Gilchrist, Prinsburg, Minnesota, \$881,322.01; Dwire, Inc., Marshall, Minnesota, \$882,354.25; and McLaughlin & Schulz, Inc., Marshall, Minnesota, \$886,623.28. Subject to approval from the Minnesota Department of Transportation and Federal Highway Administration, Hirmer moved, Purrington seconded, the adoption of RESOLUTION NUMBER 450, SECOND SERIES and that the reading of the same be waived. Resolution Number 450, Second Series is a resolution accepting the bid for Channel Parkway from Trunk Highway 19 to Trunk Highway No. 59, State Project No. 139-121-01, MSAS 121, and Minnesota Project No. M 57641 in the amount of \$881,322.01 from Duininck Bros. & Gilchrist, Prinsburg, Minnesota. All voted in favor of the motion.

Hirmer moved, Ritter seconded, the adoption of RESOLUTION NUMBER 451, SECOND SERIES and that the reading of the same be waived. Resolution Number 451, Second Series is a resolution amending Resolution Number 432, Second Series-setting fees. This resolution provides for the on-sale beer license fee to be set at \$50.00 for establishments that possess an on-sale club liquor license or an on-sale liquor license and that the annual on-sale beer license fee be set at \$120.00 for establishments that do not possess on-sale club liquor license or an on-sale liquor license. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, the adoption of ORDINANCE NUMBER 101, SECOND SERIES and that the reading of the same be waived. Ordinance Number 101, Second Series is an ordinance amending Chapter 11 of the City Code relating to zoning. This ordinance provides for the property referred to as The Marshall Fur Farm located in the S.E. ¼, Section 32, T112N, R41W, owned by Marshall Foods, Inc., to be rezoned from R-A, Agricultural Residential District to I-1, Limited Industrial District. All voted in favor of the motion.

A discussion was held at this time on the fire service contracts between the City of Marshall and the surrounding townships for the period May 1, 1981 through April 30, 1982. Mr. Arnold Buesing a representative of the Lynd Township was concerned as to how the assessed valuation was determined and indicated that Lynd Township would be willing to pay the same rate as they did for the period May 1, 1980 through April 30, 1981. Mr. Jim Heller, City Administrator, informed Mr. Buesing and other members in attendance that the assessed valuations were received from the County Auditor's Office.

Mr. Don Williams a representative of the Lynd Fire Department indicated to the council and other members in attendance at the meeting that the Lynd Fire Department had originally suggested they would serve 8 sections in the Lynd area by their volunteer fire department. Residents within these sections were not in favor of this suggestion. They indicated they would rather be able to call the fire department they so choose. Another proposal that was mentioned was whatever rate is established by the City of Marshall, that ½ of the rate be paid to the City of Lynd, ½ to the City of Marshall and that the residents within Lynd Township be allowed to call the fire department they so wish. It was the general feeling of many people attending the meeting that the assessed valuation should not be the basis for determining the rate to be charged for fire contracts since the land is not what is going to burn it is the buildings and the contents. It was the general consensus from the members of the various townships that the City

REGULAR MEETING - APRIL 6, 1981 (CONT'D.)

Administrator be allowed to put together the direct costs for rural fire services and the total city cost for 1981 and prior years to find out definitely what equipment is to be used for rural fire calls. This information is to be assembled and discussed at the regular city council meeting of the City of Marshall on April 20, 1981 at 7:30 P.M. At this same meeting a discussion will be held on how the Lynd Township will be served and how the rate will be allocated between the City of Lynd and the City of Marshall for fire services.

Rogalski moved, Berre seconded, the city council reconsider the bituminous pavement project for the alley in Block 3, Morningside Heights Addition. All voted in favor of the motion, except Hirmer and Purrington who voted no. At the public hearing held on March 16, 1981 on this project Ken Moehle, an affected property owner, was in attendance at that meeting and spoke in opposition to the improvement. There were no property owners at the public hearing speaking in favor of the improvement, therefore the project was eliminated from the 1981 Improvement Projects at that time. There are 9 property owners in the area affected by this improvement. These property owners were not officially informed of this reconsideration. Hoffman moved, Rogalski seconded, a public hearing be set for May 4, 1981 to reconsider this project and that all affected property owners be informed of this public hearing. Hoffman, Rogalski, Berre and Ritter voted in favor of the motion. Hirmer, Schlagel and Purrington voted no.

Ritter moved, Purrington seconded, the proper city officials be allowed to advertise for the 1981 Seasonal Gravel Requirements for the Street Department. These bids are to be received on April 20, 1981 at 7:30 P.M. All voted in favor of the motion.

Mr. Larry Heggles a representative of Northwestern Bell Telephone Company was in attendance at the meeting to discuss with the council the present telephone system and its deficiency's; a proposed system and its benefits; and the cost impact. Calvin Barnett, Garry Rick and Jim Heller, on behalf of the Park & Rec Department, spoke in regard to the problems with the current system and options they would like to see on a new system. It was the general consensus of the council any costs to be incurred with improving the telephone system be deferred until the 1982 budget time.

Schlagel moved, Berre seconded, the approval of a supplemental appropriation of \$5,050 from the contingency to the mayor and council account. This appropriation is the City of Marshall's share for the League of Minnesota Cities building. All voted in favor of the motion.

Hoffman moved, Schlagel seconded, the approval of a supplemental appropriation of \$3,500 from the contingency to the municipal building account for salaries for janitorial and maintenance services. This appropriation allows for the janitors position recently vacated by the resignation of Wade Stimson to be up graded to allow for the hiring of someone with the skills necessary to maintain the air conditioning, heating and plumbing systems on the municipal building and the library as well as to oversee the janitorial function of these 2 buildings. All voted in favor of the motion.

Upon the recommendation of the Director of Public Safety and the City Administrator, Hirmer moved, Schlagel seconded, Gary Johnson be promoted to the position of Sergeant on a probationary basis effective April 1, 1981. All voted in favor of the motion.

Upon the recommendation of the Director of Public Safety and the City Administrator, Schlagel moved, Ritter seconded, Mr. Scott Campbell and Mr. Randy Lavoie be employed as police officers for the City of Marshall at a rate of \$1,414 per month effective April 16, 1981. The following resolution was adopted: BE IT RESOLVED that Scott Campbell and Randy Lavoie be duly appointed, qualified and acting full-time Police Officers for the City of Marshall, Minnesota, possessing the power of arrest by warrant and otherwise, and other authority generally conferred upon and possessed by the Municipal Police Officers in Minnesota with the specific duty of enforcing the laws of the State of Minnesota and the Ordinances of the City of Marshall and apprehending violators thereof, and engaging in the hazards of protecting the safety and property of others. One of these positions is on a temporary basis through December 31, 1981 and the other was hired as a full time police officer. All voted in favor of the motion, except Berre who abstained.

REGULAR MEETING - APRIL 6, 1981

Hirmer moved, Purrington seconded, the adoption of RESOLUTION NUMBER 452, SECOND SERIES and that the reading of the same be waived. Resolution Number 452, Second Series is a resolution designating the City of Marshall's support on the Governor's transportation bill. If this bill were passed the City of Marshall would receive approximately \$44,000 in additional State Aid Funds for streets. All voted in favor of the motion.

Mr. Tom Thelan, Field Representative of the League of Minnesota Cities, was scheduled to attend the meeting to discuss with the council league activities and various legislative issues. Mr. Thelan did not arrive until after the meeting was adjourned.

Mr. Jim Heller, City Administrator, discussed briefly with the council the Soil Characteristics section of the Comprehensive Plan of the City of Marshall.

Hirmer moved, Schlagel seconded, that the following bills be authorized for payment and that a letter be sent to Big Bob's Service indicating that we are holding payment until he meets the requirements of the moving and storage of abandoned vehicles ordinance. WASTEWATER FACILITIES FUND, Voucher No. 2272 through 2305; PARKING SYSTEM FUND, Voucher No. 2461 through 2471; DEBT SERVICE FUND, Voucher No. 1556 through 1557; SPECIAL ASSESSMENT FUND, Voucher No. 132 through 133; REVENUE SHARING FUND, Voucher No. 201; LIQUOR FUND, Voucher No. 26568 through 26608; and GENERAL FUND, Voucher No. 71582 through 71599 and 70501 through 70621. All voted in favor of the motion.

The following building permits and mobile home permits previously approved by the City Engineer were confirmed:

County of Lyon
607 West Main St.
Stewart & Jenkins Add., Block 8
150' Radio Tower with 8' chain
link fence enclosing tower
\$7,851.00

Sylvia Dahl, Marshall
1105 Hackberry Drive
Southview 2nd Subdivision,
Block 2, Lot 8
deck and remodel basement
\$3,500

Ace Signs of Albert Lea, MN
1410 East College Dr.
McFarlands Add., Block 4, Lot 2
1 free standing sign and
2 attached signs, \$5,000

Joseph VanWie, Marshall
113 James Avenue
Nielsen's 6th Add., Block 3, Lot 2
Storage building, \$200

Slagel & Wambeke, Inc., Marshall
304 West Lyon St.
Original Plat, Block 15, Lot 8
remodeling, \$44,000

Northwestern Bell Telephone, Marshall
305 Lyon Street
Original Plat, Block 9, Lot 4
put up relay tower (approx. 80')
\$22,000

Ivo. I. Determan, Marshall
610 Thomas Avenue
Eatros Place, Block 1, Lot 7
solar panel, \$1,600

Russell Huber, Marshall
700 South 2nd Street
Nielsen's 3rd Add., Block 2, Lot 7
cut hole in interior wall, \$300

Space Development Co., Marshall
110 South 8th Street
Section 5, Part of NE¼
Warehouse, \$170,000

Lyle Moseng, Marshall
501 East College Drive
Riverside Add., Block 11, Part
of Lots 1 & 2
unattached double garage, \$5,000

Terry Ousky, Marshall
1103 Colombine Drive
Southview 2nd Subdivision, Block 3,
Lot 7
finish basement, \$400

Paul Ruppert, Marshall
604 Peltier Street
Gillett & Simmons Add., Block N/A,
Lot N/A
demolish existing garage & build
attached garage, \$500

Pat Dero, Marshall
603 Arbor Court
Parkside Add., Block 3, Lot 6
dwelling, \$55,000

Jack Clifton, Marshall
600 East Main Street
Section 9, Part of NE¼
storage and sales, \$5,500

Oden's Construction, Marshall
1006 Colombine Drive
Southview 2nd Subdivision, Block 2, Lot 16
dwelling, \$49,800

REGULAR MEETING - APRIL 6, 1981 (CONT'D.)

David E. Accola, Marshall
809 Westmar Circle
Westmar Lots, Block 3, Lot 5
attached garage, \$4,000

Leroy Engler, Marshall
506 Elm Street
Fre-Mar Addition, Block 2, Lot 24
addition to garage, \$200

Slagel & Wambeke, Inc., Marshall
1303 Westwood Drive
Westwood Acres, Block 3, Lot 14
dwelling, \$79,000

Brian Broman, Marshall
110 South High Street
Liberty Park Add., Block 2, Lots 40,
41, & N 8' of 42
bedroom & family room, \$10,000

MOBILE HOME PERMITS

Jim Everman, Marshall
1226 Winchester Avenue
Camelot Square Mobile Home Park
installation of mobile home

James J. Novosad, Marshall
413 North 6th Street
Stewart & Jenkins Add., Block 3,
Part of Lot 11
garage & reside & replace 5 windows
in dwelling, \$8,000

Babcock Construction Co., Marshall
707 South Bend Avenue
Eatros Place, Block 3, Lot 5
Reside Dwelling, \$4,300

Babcock Construction Co., Marshall
304 South Whitney Street
Morningside Heights First Addition,
Block 2, Lot 4 & 5
reside dwelling, \$3,500

MOBILE HOME PERMITS

Bob Lux, Marshall
1207 Avalon Avenue
Camelot Square Mobile Home Park
installation of mobile home

Schlagel moved, Berre seconded, a side yard variance of 0' instead of the 5' required by City Code be approved for Joseph VanWie of 113 James Avenue to construct a storage building. All voted in favor of the motion.

A Ways and Means Committee meeting was set for April 9, 1981 at 12 o'clock noon at the Hanging Forest Restaurant to discuss the proposed Fire Marshal position.

A Transportation Committee meeting was set for April 16, 1981 at 12 o'clock noon at the Chalet to discuss the taxi system.

Councilperson Berre indicated to the council that with the 1980 census figures there may have to be some changes in the Commissioner Districts due to one district being over populated and another below the population requirements. It was also discussed in connection with this the possibility of the City of Marshall reducing the number or boundaries of the voting precincts. The Mayor appointed a committee of Rogalski, Berre and Purrington to study the issue.

Berre moved, Schlagel seconded, the receiving of a bid from the Goodwin, South Dakota Fire Department for the 1947 Dodge Fire Truck be placed on the agenda. All voted in favor of the motion.

The bid received, opened and read from the Goodwin, South Dakota Fire Department for the 1947 Dodge Fire Truck was in the amount of \$502.50. Berre moved, Schlagel seconded, the bid be accepted from the Goodwin, South Dakota Fire Department for the 1947 Dodge Fire Truck. All voted in favor of the motion.

Upon motion made by Schlagel, seconded by Hirmer, the meeting was adjourned. All voted aye.


Mayor

ATTEST:


City Clerk

REGULAR MEETING - APRIL 20, 1981

The regular meeting of the Common Council of the City of Marshall was held on April 20, 1981. The meeting was called to order by Mayor Schlagel at 7:30 P.M. In addition to the Mayor the following members were present: Purrington, Ritter, Hirmer, Hoffman, Rogalski and Berre. Absent: none.

Hoffman moved, Hirmer seconded, the approval of the minutes of the regular meeting of the Common Council held on April 6, 1981 as filed with each member. All voted in favor of the motion.

Bids were received for the 1981 Improvement Projects at this time. The first series of bids were for the Municipal State Aid Project No. 139-123-01. This project includes Grading, Bituminous Base, Bituminous Surfacing, Curb & Gutter, Storm Sewer and Miscellaneous Work. Bids received, opened and read were from McLaughlin & Schulz, Inc., Marshall, Minnesota, \$335,568.41; and Duininck Bros. & Gilchrist, Prinsburg, Minnesota, \$348,586.41.

The second series of bids received, opened and read were for Street Grading and Gravel Base, Project No. SG-GB 1981A. One bid was received from McLaughlin & Schulz, Inc., Marshall, Minnesota, \$6,376.42.

The third series of bids received, opened and read were for Bituminous Surfacing, Project No. BS 1981A. Bids received for this project were from Duininck Brothers & Gilchrist, Prinsburg, Minnesota, \$62,350.49; and McLaughlin & Schulz, Inc., Marshall, Minnesota, \$67,911.20.

The fourth series of bids received, opened and read were for Curb & Gutter, Project No. CG 1981A. Bids received for this project were from Harvey Buchholtz Construction, Marshall, Minnesota, \$7,540.48; and M. E. Kaiser Co., Fairbault, Minnesota, \$10,244.34.

The fifth series of bids received, opened and read were for the Watermain, Project No. W 1981A. Bids received for this project were from Winter Construction, Pipestone, Minnesota, \$38,985.00; Terry Krohn, Slayton, Minnesota, \$41,390.00; Bartz Excavating, Ivanhoe, Minnesota, \$46,423.85; Dwayne's Plumbing & Backhoe, Pipestone, Minnesota, \$48,966.80; Schield Construction, Worthington, Minnesota, \$52,662.88; Gaub, Inc., Olivia, Minnesota, \$67,637.00; and Kuemper Inc., Bird Island, Minnesota, \$71,260.80.

The final series of bids received, opened and read for the 1981 Improvement Projects was for the Sanitary Sewer, Project No. SAS 1981A. The bids received for this project were from Winter Construction, Pipestone, Minnesota, \$118,195.00; Omtvedt Construction Co., Redwood Falls, Minnesota, \$131,385.50; Terry Krohn, Slayton, Minnesota, \$160,957.90; Gaub, Inc., Olivia, Minnesota, \$186,441.45.

Bids were received, opened and read at this time for the 1981 Seasonal Gravel Requirements for the street department. The bids received, opened and read were from Rich Dwire, Construction, Marshall, Minnesota, \$2.24 per cubic yard, J. J. Dird & Gravel Hauling, Russell, Minnesota, \$2.32 per cubic yard; McLaughlin & Schulz, Inc., Marshall, Minnesota, \$2.59 per cubic yard; D & G Excavating, Inc., Marshall, Minnesota, \$2.64 per cubic yard; and Dwire Inc., Marshall, Minnesota, \$2.89 per cubic yard.

Hirmer moved, Hoffman seconded, the bid for the 1981 Seasonal Gravel Requirements be awarded to Rich Dwire, Construction, Marshall, Minnesota in the amount of \$2.24 per cubic yard. All voted in favor of the motion.

Upon recommendation of the Ordinance and Legislative Committee, Hirmer moved, Berre seconded, the introduction of an ordinance adopting the current Building Code Standards and certain code supplements. All voted in favor of the motion.

The next item on the agenda was to consider a conditional use permit for Schwan's Sales Enterprises for the operation of a commercial school in a B-1 District at 207 West College Drive. This request was withdrawn.

Upon recommendation of the Planning Commission, Rogalski moved, Berre seconded, the approval of a 5 year conditional use permit for a pet store for Mr. Russell Cain at 600 Donita. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, a public hearing be set for May 4, 1981 to discuss the traffic control revisions and parking restrictions on West Main Street between 5th Street and Trunk Highway No. 59 North. With the proposed changes from 5th Street to Trunk Highway No. 59 North it would be necessary to eliminate

REGULAR MEETING - APRIL 20, 1981 (CONT'D.)

parking at least during the busy times and on at least 1 side of the street in this area. All voted in favor of the motion.

Schlagel moved, Ritter seconded, the approval of a 3 month temporary non-intoxicating malt liquor license for the Southwest State University Student Association for the period May 1, 1981 through July 31, 1981 at a rate of \$25.00. All voted in favor of the motion.

Ritter moved, Berre seconded, the approval of a dance permit for Jerry Gladis to hold a dance at the Marshall National Guard Armory between the hours of 9 o'clock P.M. and 12 o'clock midnight on Friday, May 1, 1981 at a fee of \$25.00. All voted in favor of the motion.

Mr. Al Rome, Superintendent of the Marshall Municipal Utilities was in attendance at the meeting to discuss with the council the 1980 audit for the municipal utilities.

Hirmer moved, Ritter seconded, the proper city officials be allowed to submit a grant application to the Minnesota State Planning Agency for funding assistance for the development of parking facilities at the softball complex. The estimated cost of this project is \$117,923.40 of which \$58,961.70 are being requested from a LAWCOM Grant, \$9,510.00 will be provided from in-kind services, and the City of Marshall's cost would be \$49,451.70. All voted in favor of the motion.

Hirmer moved, Purrington seconded, the proper city officials meet with members from the Fairveiw and Lake Marshall Townships to review with them the joint resolution between these townships and the City of Marshall designating unincorporated areas as in need of orderly annexation. All voted in favor of the motion.

The discussion continued at this time on the fire service contracts between the City of Marshall and the surrounding townships for the period May 1, 1981 through April 30, 1982. Mr. Jim Heller, City Administrator, discussed with the council and other members in attendance at the meeting the cost of rural fire service and the cost of the fire department to the City of Marshall. After considerable discussion on what the base should be for charging the townships for fire service and what the fee should be for fire calls to fires in the rural area, Hoffman moved, Schlagel seconded, the townships be assessed \$60.00 per section served by the Marshall Fire Department and the fee for a fire call be set at \$150.00 for the first hour or any part thereof and \$50.00 for each additional hour or part thereof to a maximum of \$250.00 per call for the period May 1, 1981 through April 30, 1982 and that the townships be assessed \$65.00 per section served by the Marshall Fire Department and the fee for a rural fire call be set at \$200.00 for the first hour or any part thereof and \$50.00 for each additional hour or part thereof to a maximum of \$250.00 per call for the period May 1, 1982 through April 30, 1983. All voted in favor of the motion.

It was the general consensus of the officials from Lynd Township that the allocation of the fee for Lynd Township be negotiated between the City of Lynd and the City of Marshall for the period May 1, 1981 through April 30, 1982.

Hirmer moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 453, SECOND SERIES and that the reading of the same be waived. Resolution Number 453, Second Series is a resolution declaring the cost to be assessed and calling for a hearing on the proposed assessment. This resolution is for the assessment on the Municipal State Aid Project No. 139-123-01. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 454, SECOND SERIES and that the reading of the same be waived. Resolution Number 454, Second Series is a resolution declaring the cost to be assessed and calling for a hearing on the proposed assessment. This resolution is to declare the cost to be assessed for the 1981 Improvement Projects. All voted in favor of the motion.

Purrington moved, Ritter seconded, the adoption of RESOLUTION NUMBER 455, SECOND SERIES and that the reading of the same be waived. Resolution Number 455, Second Series is a resolution authorizing the proper city officials to enter into an agreement with the Minnesota Department of Transportation to participate on an equal basis for the purchase of the wind direction and speed indicating system for the Marshall Municipal Airport. The council had given previous approval for a supplemental appropriation from contingency in the amount of \$800 for this wind direction and speed indicating system of which not the state will pay \$400 towards the replacement of this equipment. All voted in favor of the motion.

REGULAR MEETING - APRIL 20, 1981 (CONT'D.)

Mr. George Davis was in attendance at the meeting to discuss with the council a request from the Lyon County Board of Commissioners to have the City deed over to Lyon County ownership of approximately 5 acres of land on the East side of County Road 7 immediately North of the Diversion Channel. Lyon County proposes to trade this land to the Westwood Acres Corporation for a small partial of land owned by Westwood Acres north of the Redwood River on the West side of the fairgrounds for use as fairgrounds parking area. Schlagel moved, Berre seconded, this item be referred to the Public Works Committee and to review with the City Assessor, Cal Barnett, the values and other important information in regard to this parcel of property. All voted in favor of the motion.

Hirmer moved, Ritter seconded, the approval of a supplemental appropriation of \$550 from the contingency to Parks, Recreation and Community Education account for the installation of an additional phone and line. This additional line would be used for incoming calls only and be attached to a recorded to provide pre-recorded information to those calls. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, the approval of a supplemental appropriation of \$11,600 from the contingency to the Park Maintenance and Development account. \$10,000 of this appropriation is for the installation of an irrigation system at the softball complex. \$1,600 is for the reseeding of the two fields that will be affected by the Channel Parkway construction. A portion of these costs will be recovered by the \$5.00 user fee charges to the participants using the softball complex. All voted in favor of the motion.

Schalgel moved, Hoffman seconded, the approval of a transfer of \$350 from account number 4111.540, Department of Public Safety to 4191.540, Civil Defense. This transfer allows the proper city officials to purchase a 18 channel scanner for \$250 and to install a receiver in the radio of the Street Commissioner for \$100 for the Civil Defense Project. All voted in favor of the motion.

Hoffman moved, Hirmer seconded, the proper city officials be allowed to arrange for the disposal and sale of surplus property. Tuesday, May 19, 1981 is the date that has been tentatively set for the public auction of unclaimed bicycles. All voted in favor of the motion.

Hirmer moved, Hoffman seconded, the city clerk be allowed to appoint election judges for the special election to be held on May 12, 1981 for the State Senator position. All voted in favor of the motion.

Hirmer moved, Rogalski seconded, the adoption of RESOLUTION NUMBER 456, SECOND SERIES and that the reading of the same be waived. Resolution Number 456, Second Series is a resolution designating the voting locations. This resolution provides for the voting locations in Ward 2, Precinct 2 to be changed from the National Guard Armory to St. Stephens Lutheran Church and for the voting location in Ward 1, Precinct 1 to be changed from the Southwest State University Rooms 158 & 159 in the Student Center to the Campus Religious Center. All voted in favor of the motion.

A discussion was held at this time on a motion made on April 25, 1979 in regard to the taxi system. The motion was to put a restriction on the taxi service that the loss per month after package revenue is deducted is not to exceed \$1,500 per month or the subsidy per passenger shall not exceed \$3.00 per ride for any 2 consecutive months beginning October 1, 1979. This \$1,500 includes actual cash expenditures for the system plus depreciation expense. It does not include administrative and related charges for the system or garage rent.

Berre moved, Hirmer seconded, a recommendation of the City Election Committee to remove the precinct lines in Ward 1 and Ward 3 be placed on the agenda. All voted in favor of the motion.

Berre moved, Ritter seconded, the adoption of RESOLUTION NUMBER 457, SECOND SERIES and that the reading of the same be waived. Resolution Number 457, Second Series is a resolution removing the precinct lines in Ward 1 and Ward 3 and moving the precinct line in Ward 2 from First Street to West College Drive down to Greeley Street until Greeley Street intersects with First Street. The City Election Committee is to meet with officials from the Lyon County Board of Commissioners to discuss these proposals. This proposal will be effective in 60 days. All voted in favor of the motion.

Councilperson Purrington informed the council that the Ways and Means Committee had meet to discuss the Fire Marshal position and various alternatives with this position.

REGULAR MEETING - APRIL 20, 1981, (CONT'D.)

Hirmer moved, Ritter seconded, and it was unanimously approved that the following bills be authorized for payment: WASTEWATER FACILITIES, Voucher No. 2306 through 2331; LIQUOR FUND, Voucher No. 26609 through 26624; DEBT SERVICE, Voucher No. 1558 through 1559; SPECIAL ASSESSMENTS FUND, Voucher No. 134; PARKING SYSTEM FUND, Voucher No. 2472 through 2476; GENERAL FUND, Voucher No. 70622 through 70739.

The following building permits and mobile home permits previously approved by the City Engineer were confirmed:

William Ritter, Marshall,
914 West Main Street
Section 5, NE $\frac{1}{4}$
Vehicle storage building
\$100,000

Arlene Welu, Milroy
707 Nuese Lane
Nuese 2nd Add., Block 2, Lot 2
dwelling and attached double
garage, \$45,800

Gordon Magnuson, Marshall
409 Williams Street
Section 9, Part of NW $\frac{1}{4}$
fireplace, \$800

Paxton Signs, Marshall
103 South 4th Street
Original Plat, Block 4, Lot 16
projecting sign, \$225

Leonard DeSchepper, Marshall
303 West College Drive
Blakes Add., Block 8
retail store, \$20,000

Bladholm & Hess, Marshall
901 East Southview Dr.
Section 9, SE $\frac{1}{4}$ of NE $\frac{1}{4}$ (part of)
office, \$50,000

Roy Odens, Marshall
1103 Willow Lane
Krueger Addition, Block 1,
Lot 5 ex W'ly 7' & 7' of 6
two family dwelling, \$53,000

Steve Melvin, Marshall
1402 Carlson Street
McFarlands 2nd Add., Block 1, Lot 4
study in basement, \$150

SWesta Builders, Inc., Marshall
1104 East Main Street
Section 10, SW $\frac{1}{4}$
addition to restaurant, \$60,000

Norman Timm, Marshall
705 Marquerite Street
Eatros Place, Block 2, Lot 10
porch addition, \$2,500

SWesta Builders, Inc., Marshall
326 West Main Street
Original Plat, Block 9, Lot 14 & 15
remodeling - 2nd floor, \$1,500

Orning Syverson, Marshall
702 West College Drive
Section 5, SE $\frac{1}{4}$
exterior stairway, \$300

Coudron Construction, Marshall
1004 Silvervine Drive
Southview 2nd Subdivision, Block 3,
Lot 13, dwelling, \$35,000

Richard E. Rasmussen, Marshall
406 North 7th Street
Soucy Addition, Lot 15
relocate garage, \$700

Dean McDaniel, Marshall
208 Robert Street
Viking Addition, Block 6, Lot 1 & 2
deck, \$200

Les VanMoer, Marshall
106 "C" Street
Railroad Addition, Part of Block 1
addition to dwelling, \$700

Michael Buczko, Marshall
211 DeSchepper Street
Viking Addition, Outlot 3, Lot 2
attached double garage, \$7,500

Alpha Goldstein, Marshall
1244 Winchester Avenue
Camelot Square Mobile Home Park
install mobile home

Dan J. Frey, Marshall
318 Timberlane Drive
Village Park Mobile Home Park
install mobile home

Purrington moved, Ritter seconded, the approval of the rear yard variance of 5' instead of the 15' required by City Code for Richard E. Rasmussen of 406 North 7th Street to relocate a garage. All voted in favor of the motion.

Councilperson Rogalski expressed his concern to the council in finding out if there is actually any energy savings from the remodeling that has been done to the Municipal Building and Library heating and cooling system. It was the general consensus of the council that Robert Emanuelson, consulting engineer for this project, be consulted to determine if there is actually been energy savings.

REGULAR MEETING - APRIL 20, 1981 (CONT'D.)

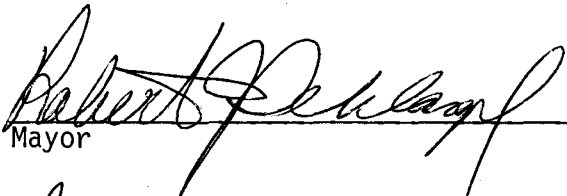
Hirmer moved, Berre seconded, the approval of a farm lease with Richard Cady for the 5 acres along County Road 7 just Northerly of the Diversion Channel be placed on the agenda at this time. All voted in favor of the motion.

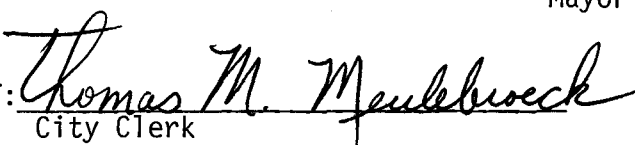
Berre moved, Hirmer seconded, the approval of a farm lease with Richard Cady for the 5 acres along County Road 7 just Northerly of the Diversion Channel at a rate of \$50.00 per acre for a 2 year period for 1981 and 1982. All voted in favor of the motion.

Berre moved, Schlagel seconded, the setting of the date for the Board of Review be placed on the agenda. All voted in favor of the motion.

Schlagel moved, Berre seconded, May 4, 1981 at 7:30 P.M. be the date set for the Board of Review. All voted in favor of the motion.

Upon motion made by Schlagel, seconded by Berre, the meeting was adjourned. All voted in favor of the motion.


Mayor

ATTEST: 
City Clerk

REGULAR MEETING - MAY 4, 1981

The regular meeting of the Common Council of the City of Marshall was held on May 4, 1981. The meeting was called to order by Mayor Schlagel at 7:30 P.M. In addition to the Mayor the following members were present: Ritter, Purrington, Hirmer, Hoffman, Rogalski and Berre. Absent: none.

Mayor Schlagel called to order the Board of Review meeting at this time.

Mr. Cal Barnett, City Assessor, reviewed with the council current legislation in regard to assessed valuations on property for the 1981 taxes payable in 1982. Mr. Barnett informed the council that the assessed valuation for residential, commercial and industrial property in some areas increase from 10 to 15 per cent. He also indicated that some of the mobile homes in the Village Park received a 5% depreciation allowance for hail damage received in 1980.

Mr. Robert Kidder, 506 West Redwood Street, Parcel No. 449, was concerned about the \$4,300 increase in market value of his property for the 1981 assessment.

Mr. Roy Elvidge, 307 North 6th Street, Parcel No. 872 and 872-A was concerned about the \$5,500 increase in the market value of his property for the current assessment year.

Mr. Lee Conyers in behalf of Thomas Halbach, 705 South 4th Street, Parcel No. 3622-50 was concerned about the removal of the homestead credit classification from this parcel of property.

Mr. Jim Clark, 209 DeSchepper Street, Parcel No. 4318-99-A, was requesting that the assessor inspect his house.

Mr. Cal Barnett, City Assessor, received written notices from the following individuals: Freida Timmerman, 204 Park Avenue, Parcel No. 2446, in regard to the amount of the assessment placed against her property; Jack Killand, 1405 East College Drive, Parcel No. 5402, in reference to the market value of his property; Kathryn Zervas, 406 North 6th Street, Parcel No. 828, in regard to the appraised value of this property; and from Jerry Sumner in regards to Lots 1 & 2, Block 2, Luknic Addition, in regard to the assessed valuation of this parcel of property.

Mr. Barnett agreed to do an investigation of all parcels in question and to report back to the council on his findings and decisions.

REGULAR MEETING - MAY 4, 1981 (CONT'D.)

The regular meeting of the Common Council of the City of Marshall convened at 7:53 P.M.

Hirmer moved, Ritter seconded, the approval of the minutes of the regular meeting of the Common Council held on April 20, 1981 as filed with each member. All voted in favor of the motion

A public hearing was held at this time pertaining to the revising of the traffic controls on West Main Street from 5th Street to the Burlington Northern Railroad. These revisions would consist of a change in the street parking system; left turn lanes; painted center islands; and parking restrictions. Mr. Duane Aden, City Engineer, discussed this proposal with the council and suggested they eliminate parking on West Main Street on the North side from 5th Street to Hwy. 59 North to allow for 2 lane traffic and that the parking remain as is on the South side of West Main Street to allow for parking on the South side and allow for 1 lane traffic. Mr. Maurice Buysse of 604 West Main indicated to the council and other members in attendance at the meeting that he had never seen a traffic jam in the area between 6th and 7th Street and he felt that if they were to eliminate parking on one side of the street that they should do both. Mr. Aden informed the council that the intent was to restrict parking only on weekdays between 7 A.M. and 6 P.M.

Councilperson Hoffman informed the council he was contacted by an employee from Swift & Co., and they were in favor of some type of improvement to West Main to eliminate the congestion at South 6th Street and West Main Street.

There was some concern raised about the availability of parking for the Church of Christ at 616 West Main Street.

Councilperson Rogalski was concerned as to whether there were any traffic counts done in this area. Mr. Aden informed the council there were no traffic counts taken and that 2/3 of the traffic going West on West Main Street continue North on Hwy. 59 and 1/3 continue going West on Hwy. 68.

Hirmer moved, Hoffman seconded, the adoption of RESOLUTION NUMBER 458, SECOND SERIES and that the reading of the same be waived. Resolution Number 458, Second Series is a resolution restricting parking on West Main Street from 5th Street to Hwy. 59 North between the hours of 7 A.M. and 6 P.M. Monday through Friday. All voted in favor of the motion, except Rogalski and Berre who voted no.

A public hearing was held at this time on the Bituminous Surfacing Project for the alley in Block 3 of Morningside Heights Addition. Dr. Kenneth Peterson of 105 South Hill informed the council that there is a difference in elevation of 6 to 8 feet from one end of the alley to the other and that there is a continuous erosion along this alley. A number of owners and tenants in this area were in attendance at this meeting to voice their opinion in favor of this project. They were Nola Caron, Charlie Muller, Larry Schmidt, and Jack Buysse. Hoffman moved, Rogalski seconded, the adoption of RESOLUTION NUMBER 459, SECOND SERIES and that the reading of the same be waived. Resolution Number 459, Second Series is a resolution ordering the plans and specifications, accepting the plans and specifications and ordering the advertisement for bids. The bids are to be received, opened and read for this project on June 1, 1981. All voted in favor of the motion, except Hirmer who voted no and Purrington who abstained.

Hirmer moved, Schlagel seconded, the adoption of ORDINANCE NUMBER 102, SECOND SERIES and that the reading of the same be waived. Ordinance Number 102, Second Series is an ordinance adopting the current building code standards and certain code supplements. All voted in favor of the motion.

Hirmer moved, Ritter seconded, the approval of a 3 month temporary non-intoxicating beer license for the Marshall Softball Association for the period May 18, 1981 through August 17, 1981 at a fee of \$25.00. This license was referred to the Legislative and Ordinance Committee to discuss the possibility of extending this license for a 1 month period. All voted in favor of the motion.

Schlagel moved, Hirmer seconded, the approval of a 3 month temporary non-intoxicating beer license for the Marshall Baseball Association for the period May 17, 1981 through August 16, 1981 at a fee of \$25.00. This license was also referred to the Legislative and Ordinance Committee to discuss the possibility of extending it for a 1 month period. All voted in favor of the motion.

REGULAR MEETING - MAY 4, 1981 (CONT'D.)

Berre moved, Schlagel seconded, the approval of a supplemental appropriation of \$1,200 from contingency to the fire department general supplies to allow for the purchase of some hose for the fire department. All voted in favor of the motion.

A petition was received at this time for the improvement of Sanitary Sewer on Southview Drive on the Northwesterly side between the Chicago Northwestern Railroad and a point 150' Southwesterly. The total cost of this project is approximately \$4,314 of which $\frac{1}{2}$ would be city cost. There was some concern raised about the Daytime Activity Center's 5 year option on an adjacent parcel of property to this improvement. Hirmer moved, Ritter seconded, the adoption of RESOLUTION NUMBER 460, SECOND SERIES and that the reading of the same be waived. Resolution Number 460, Second Series is a resolution declaring the adequacy of the petition, ordering the preparation of the feasibility report, accepting the feasibility report, ordering the plans and specifications, approving the plans and specifications, and ordering the advertisement for bids on this project. Bids are to be received, opened and read at the regular meeting on June 1, 1981 at 7:30 P.M. All voted in favor of the motion.

Berre moved, Schlagel seconded, the approval of a change order for the Wastewater Treatment Facility to extend the completion date for the grit and grease removal project from May 20, 1981 to July 15, 1981. All voted in favor of the motion.

Hirmer moved, Berre seconded, the proper city officials be allowed to receive bids on June 1, 1981 at 7:30 P.M. for the 1981 Bituminous Seal Coat and Overlay requirements. All voted in favor of the motion.

Schlagel moved, Hoffman seconded, the adoption of RESOLUTION NUMBER 461, SECOND SERIES and that the reading of the same be waived. Resolution Number 461, Second Series is a resolution determining the voting locations. This resolution provides for a change in the voting location from the College Campus Religious Center to the Student Center Room 158 and 159. All voted in favor of the motion, except Rogalski who voted no.

Director of Public Safety Garry Rick reviewed with the council the functional operation of the Department of Public Safety and discussed with the council the activities that will be taken place within the police department during National Police Week from May 10 through May 16, 1981.

Schlagel moved, Hirmer seconded, the adoption of RESOLUTION NUMBER 462, SECOND SERIES and that the reading of the same be waived. Resolution Number 462, Second Series is a resolution proclaiming May 10 through May 16, 1981 as National Police Week. All voted in favor of the motion.

A discussion was held at this time on the current status of the development of the computer system for the City of Marshall. The council was informed that a system is being considered which is substantially less in price than was originally discussed.

Hirmer moved, Rogalski seconded, the proper city officials be authorized to submit a letter to the State of Minnesota stating the City of Marshall's intent to become involved in their computer program. All voted in favor of the motion.

Mr. Duane Aden discussed with the council some of the proposed assessments for the 1981 Improvement Project Program. With the proposed assessments some of the past improvements of storm sewer systems would be recovered.

Hirmer moved, Ritter seconded, the adoption of RESOLUTION NUMBER 463, SECOND SERIES and that the reading of the same be waived. Resolution Number 463, Second Series is a resolution requesting the Minnesota Department of Transportation to evaluate the traffic controls at Market Street and East College Drive. The traffic controls would be checked on both sides of East College Drive and Market Street. All voted in favor of the motion.

Hirmer moved, Ritter seconded, and it was unanimously approved that the following bills be authorized for payment: GENERAL FUND, Voucher No. 70740 through 70826; SPECIAL ASSESSMENT FUND, Voucher No. 135 through 136; PARKING SYSTEM FUND, Voucher No. 2477 through 2483; WASTEWATER FACILITIES FUND, Voucher No. 2332 through 2351; LIQUOR FUND, Voucher No. 26625 through 26657.

REGULAR MEETING - MAY 4, 1981 (CONT'D)

The following building permits and mobile home permits previously approved by the City Engineer were confirmed:

Stella (Knutson) Campbell
510 West Saratoga Street
"A" Addition, Block 7, Lot 6
remove old porch and build
new porch, \$1,000

Art Olson & Dale Schak
503 North Highway 59
Section 5, Part of NE $\frac{1}{4}$
warehouse, \$15,000

Les Bauer
102 $\frac{1}{2}$ North 1st Street
Original Plat, Block 12, Lot 15
Utility building, \$300

Donald Votava
307 Sunrise Lane
Sunrise Park Addition
Block 5, Lot 2
deck, \$900

Geske Building
1007 Pine Avenue
VerMarv Addition, Block 1, Lot 9
reside residence, addition to garage,
and enclose 2 windows, \$3,652

LaVern Baune, Vesta
1106 West Main Street
Section 5, Part of NE $\frac{1}{4}$
demolition of building, \$0

Olson & Shaikoski
620 Donita Avenue
First Addition to Eatros Place,
Block 1, Lot 4
fireplace, \$1,900

James Holt
1003 Southview Drive
Section 9, Part of NE $\frac{1}{4}$
radio tower, \$500

Keigh Hubel
200 "A" Street
Original Plat, Block 24, part of
Lot 6 & 7, garage addition, \$1,000

Reading & Bates Construction Co.
1003 East Southview Drive
Section 9, Part of NE $\frac{1}{4}$
temporary structure, \$0

David & Ronda Hohenstein, Jr.
Cottonwood
354 Timberlane Drive
Village Park
entry, \$200

Doug Bradley Trucking
201 South County Road #7
Section 8, NW $\frac{1}{4}$ of NW $\frac{1}{4}$
truck storage
\$18,000

David & Ronda Hohenstein Jr.,
Cottonwood
354 Timberlane Drive
Village Park
Mobile home installation

Jean VanLeeuwe
508 Carlson Street
McFarland 2nd Addition, Block 1
Lot 9
garage, \$4,000

Berre moved, Purrington seconded, the approval of a side yard variance of 1 foot instead of the 5 feet required by City Code for Les Bauer of 102 $\frac{1}{2}$ North 1st Street to construct a utility building. All voted in favor of the motion.

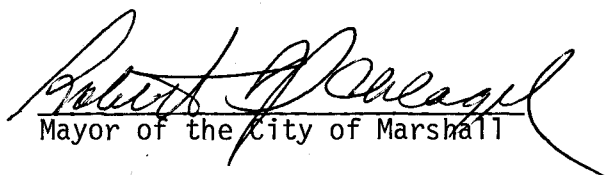
A Legislative and Ordinance Committee meeting was set for May 13, 1981 to discuss the size of signs according to City Code and decorative devices and the length of time for issuing a temporary non-intoxicating license.

Councilperson Hoffman indicated to the council the Ambulance Committee had met and discussed various alternatives for ambulance system.


Mayor Schlagel announced to the council that Councilperson Hirmer had agreed to serve and represent the City of Marshall on the North-By-Pass Committee.

A special meeting was set for May 18, 1981 at 6:30 P.M. to interview the applicants for the various boards and commissions of the City of Marshall.

Upon motion made by Schlagel, seconded by Hirmer, the meeting was adjourned. All voted aye.


Mayor of the City of Marshall

ATTEST:


City Clerk

REGULAR MEETING - MAY 18, 1981

The regular meeting of the Common Council of the City of Marshall was held on May 18, 1981. The meeting was called to order at 7:30 P.M. by Mayor Schlagerl. In addition to the mayor the following members were present: Ritter, Purrington, Hoffman, Hirmer, Berre and Rogalski. Absent: none.

Berre moved, Hoffman seconded, the approval of the minutes of the regular meeting of the Common Council held on May 4, 1981 as filed with each member. All voted in favor of the motion.

At this time the Mayor began the public hearing for the 1981 Improvement Projects. Duane Aden, City Engineer, explained to the property owners in attendance the proposed assessment roll for each project.

With no objections to Project No. BS 1981A, Hirmer moved, Schlagerl seconded, the adoption of RESOLUTION NUMBER 464, SECOND SERIES. Resolution Number 464, Second Series is a resolution approving the assessment roll for Project No. BS 1981A and setting the interest rate at 11% with an eight year payment period. All voted aye.

With no objections to Project No. CG 1981A, Schlagerl moved, Berre seconded, the adoption of RESOLUTION NUMBER 465, SECOND SERIES and that the reading of the same be waived. Resolution Number 465, Second Series is a resolution approving the assessment roll for Project No. CG 1981A and setting the interest rate at 11% with an eight year payment period. All voted aye.

With no objections to Project No. SG-GB, Purrington moved, Ritter seconded, the adoption of RESOLUTION NUMBER 466, SECOND SERIES and that the reading of the same be waived. Resolution Number 466, Second Series is a resolution approving the assessment roll for Project NO. SG-GB 1981A and setting the interest rate at 11% with an eight year payment period. All voted aye.

With no objections to Project No. SAS 1981A, Hoffman moved, Hirmer seconded, the adoption of RESOLUTION NUMBER 467, SECOND SERIES and that the reading of the same be waived. Resolution Number 467, Second Series is a resolution approving the assessment roll for Project No. SAS 1981A and setting the interest rate at 11% with an eight year payment period. All voted aye.

With no objections to Project No. W 1981A, Hoffman moved, Ritter seconded, the adoption of RESOLUTION NUMBER 468, SECOND SERIES and that the reading of the same be waived. Resolution Number 468, Second Series is a resolution approving the assessment roll on Project No. W 1981A and setting the interest rate at 11% with an eight year payment period. All voted aye.

Mr. Aden then explained the Lyon Street Municipal State Aid Projects No. 139-123-01 which consists of Street Grading, Curb & Gutter, Bituminous Base, Bituminous Surfacing and Storm Sewer. As there were no objections on the Street Grading, Curb & Gutter, Bituminous Base, and Bituminous Surfacing, Hirmer moved, Purrington seconded, the adoption of RESOLUTION NUMBER 469, SECOND SERIES and that the reading of the same be waived. Resolution Number 469, Second Series is a resolution approving the assessment roll for Street Grading, Curb & Gutter, Bituminous Base and Bituminous Surfacing, Project No. 139-123-01 and setting the interest rate at 11% with an eight year payment period. All voted in favor of the motion.

A letter of objection on the Lyon Street Storm Sewer assessment was received from Dennis Rafson, who was in attendance at the meeting, on Lot 4, Block 2, Nuese Addition. Mr. Rafson and Mr. Erickson stated that they understood that a storm sewer system was assessed against his property in prior years. Purrington moved, Berre seconded, the adoption of RESOLUTION NUMBER 470, SECOND SERIES and that the reading of the same be waived. Resolution Number 470, Second Series is a resolution approving the storm sewer assessment roll, Project No. 139-123-01 and setting the interest rate at 11% with an eight year payment period. All voted in favor of the motion. The City Engineer was instructed to check further on any prior storm system assessment on Nuese 1st Addition.

The application of F. J. Crow for rezoning and a front yard variance at 1000-1008 Willow Lane was discussed at this time. This application was approved by the Planning Commission at their May 13, 1981 meeting. The City Attorney stated that the City does not have the authority to put conditions on a zoning ordinance. He stated that Mr. Crow could address a letter to the property owners stating his plan and his proposals. Mr. Ted Lindberg, acting as spokesman for several concerned neighbors who were also present, stated that they were concerned that if it was rezoned the plans now presented could be changed. Mr. Crow assured

REGULAR MEETING - MAY 18, 1981 (CONT'D.)

the property owners that a written agreement could be worked out. Mr. Aden also stated this project would have to comply with the Flood Plain Ordinance. Hoffman moved, Purrington seconded, the introduction of an ordinance to rezone the property at 1000-1008 Willow Lane from R-1 to R-2. All voted aye.

Hoffman moved, Ritter seconded, that a 5 foot front yard variance permit be allowed as applies to the plans submitted by Mr. Crow for 1000-1008 Willow Lane. All voted in favor of the motion.

Mr. Dick Treptow of Springsteds, Inc., explained the sale of bonds for the construction of the 1981 improvements. Linda Berre moved, Mayor Schlagel seconded, the adoption of RESOLUTION NUMBER 471, SECOND SERIES and that the reading of the same be waived. Resolution Number 471, Second Series is a resolution providing for the issuance and sale of \$565,000 General Obligation and Municipal State Aid Bonds of 1981 and to apply for a bond rating. The Sale of 1981 General Obligation Bonds will be June 17, 1981 at 5:00 P.M. All voted in favor of the motion.

Mr. D. C. McFarland Jr., agent for the Gray family, was present to discuss Viking Plat No. 3. Mr. McFarland stated that the Gray family would be agreeable to the annexation of all of their property with only the land from Robert Street to James Avenue being platted and the undeveloped portion in Green Acres. Brian Boysen, Ray Schmidt and Larry Curwick, property owners in the area were present and were opposed to the Plat No. 3 by not wanting James Avenue to be extended to Saratoga Street. They were also concerned as to how the area would probably be zoned in the future as to multi family residence instead of single family.

Berre moved, Hoffman seconded, that a public hearing be held on June 1, 1981 on the Preliminary Plat for Viking Addition Plat #3. All voted aye.

Mr. A. Holland, owner of the Southwest Flea Market requested permission to place a pop machine on the sidewalk in front of his store located on South 5th Street. Hirmer moved, Rogalski seconded the request be denied as the City should not allow pop machines on the sidewalk. All voted in favor of the motion.

Upon the recommendation of the Legislative and Ordinance Committee, Berre moved, Hirmer seconded, the introduction of an Ordinance amending certain sections of Chapter 5 of the City Code pertaining to temporary beer license. This ordinance provides that a temporary license of from one to three days cost \$10.00 and that a longer temporary license could be issued for up to four months at a monthly rate of \$15.00. All voted aye.

Ed Scheele, Fire Chief, was present to ask for approval of a \$7,000 Fire Department loan for a period of two years for the purchase of an air compressor at a cost of approximately \$14,500. Mr. Scheele requested the \$7,000 supplemental appropriation be approved for this purchase and that the fire department would pay from their funds \$7,500. The fire department would repay the City of Marshall from their funds \$3,500 in 1982 and \$3,500 in 1983. Berre moved, Schlagel seconded, the supplemental appropriation from contingency be approved with the understanding the city be repayed \$3,500 in 1982 and \$3,500 in 1983 from the fire department funds. All voted aye.

Hirmer moved, Hoffman seconded, that the proper city officials be authorized to enter into a contract with Southwest State University for the period of one year beginning July 1, 1981 for the amount of \$46,726. All voted in favor of the motion.

The renewal of a contract for insurance management with Corporate Risk Managers, Inc., for one year effective June 1, 1981 at \$4,400 per year was discussed. Hoffman requested that Mr. Burdell Wessels be contacted to discuss a fee bases or probably an hourly rate and a decision be made at the June 1st meeting in regard to this contract.

Sergeant Rademacher reported to the council on the proposed use of liquid propane fuel in police cars. He stated that the cost to convert would be approximately \$1,200 per vehicle and this then could be transferred to other vehicles in the future at a cost of approximately \$300 for labor. Sergeant Rademacher had contacted the Municipal Utilities and for now we would get propane fuel from their metered tank. Hoffman suggested and it was the general consensus of the council that this be approved on the marked squad cars in the Police Department.

REGULAR MEETING - MAY 18, 1981 (CONT'D.)

Hoffman reported that the ambulance committee over the past months has checked into several alternatives to the operation of the ambulance service in Marshall. One of the alternatives is to buy the equipment and hire personnel to operate it. Also employees of the City could be used and to hire Mr. Grupe to held during the transition period. Mr. Hoffman asked if this was in line with the thinking of the Council. Hirmer moved, Berre seconded, that the ambulance committee be allowed to proceed as proposed and set a meeting with Mr. & Mr.s Robert Grupe to discuss with them in more detail the necessary arrangements. All voted aye.

Hoffman moved, Hirmer seconded, that approval be given for out of state travel to Cincinnati, Ohio for Thomas Meulebroeck, Garry Rick and Geoffrey Wold, computer consultant for McGladrey Hendrickson & Co., to review a Phase 1 computer software package. All voted aye.

With plans and specifications being completed for the 1200 square foot addition to the Liquor Store, Schlagel moved, Ritter seconded, that the City Engineer be allowed to advertise for bids to be received on June 15, 1981. All voted aye.

Berre moved, Hirmer seconded, the supplemental appropriation of \$150.00 from contingency be approved for the purchase of a calculator for the Office of City Clerk. All voted aye.

Schlagel moved, Berre seconded, the following appointments be made to the various boards and commissions for terms to commence on June 1, 1981 and to expire as indicated: Airport Commission: John Sawchak and reappointment of Bruce Jenks for terms to expire on May 31, 1984; Hospital Board: Milton Andrews for a term to expire on May 31, 1986; Human Rights: Kris Hoffbeck and Paul Bailey for terms to expire on May 31, 1984; Library Board: Shirley Johnson, Allen Blitstein, and Al Holmes for terms to expire on May 31, 1984; Planning Commission: Jerry Mootz to fill the vacancy from John Roers for a term to expire May 31, 1983, and the reappointment of John Doyle, Roy Dierickx and Randy Johnson for terms to expire on May 31, 1984; Police Commission: Dennis Bakke for a term to expire May 31, 1984, which was vacated by the resignation of Jim Eykyn in October, 1980; Utilities Commission: reappointment of Charles Richeson for a term to expire May 31, 1986. All voted aye.

Hoffman advised the council that there had been a meeting with land owners in Airport Zone "A" to explain the cities intent as to determining damages due to the zoning action and the process that would be used in airport easement and/or land acquisition of affected properties.

Purrington moved, Berre seconded, that the Population Characteristics pertaining to the Comprehensive Plan be added to the agenda and to take necessary steps to assure the city of a final useable document within the contract agreement time. All voted aye. Discussion of the contract with the Regional Development Commission and the Comprehensive Plan followed.

Hirmer moved, Schlagel seconded, and it was unanimously approved that the following bills be approved for payment: LIQUOR FUND, Voucher No. 26658 through 26675; WASTEWATER FACILITIES FUND, Voucher No. 2352 through 2372; DEBE SERVICE FUND, Voucher No. 1560; PARKING SYSTEM FUND, Voucher No. 2484 through 2488; SPECIAL ASSESSMENTS FUND, Voucher No. 137 through 139; and GENERAL FUND, Voucher No. 70827 through 70949.

The following building permits and mobile home permits previously approved by the City Engineer were confirmed:

William Wagner
113 Donita Avenue
Nielsen's 7th Addition,
Block 6, Lot 2
finish office/den in basement
\$985

F. O. E.
423 West Main Street
Original Plat, Block 5, Lot 11-14
Assembly Room & Restrooms
\$7,000

Mel Besse Construction
510 Hudson Street
Northland 2nd Addition, Lot 3
finish basement, \$3,000

Dave Weber
905 Willow Avenue
Eastside Addition-Subdv. 2
Part of Outlot 1
deck, \$550

REGULAR MEETING - MAY 18, 1981 (CONT'D.)

Mike Gruhot
108 North 1st Street
Original Plat - Auditors Plat #1
Block 12, Part of Lot 12 & 13
move existing garage and build
new garage, \$2,400

Dean Paxton
408 Kossuth Street
Faye E. Reeds Addition,
Block 1, Lot 27 & 28
reside residence, \$400

Richard Barnes
1102 Cheryl Avenue
Eatros 7th Addition, Block 1, Lot 6
attached double garage
\$2,500

Al Eggermont Jr.
1209 East College Drive
Section 3, Part of NW¼
remodeling, \$2,000

Don Stokke
118 East Redwood Street
Original Plat - G.E. Carlins
Subdv. of Lot 22
Block 12, Lot 27
deck, \$400

Robert Gould
356 Timberlane Drive
Village Park
Mobile home installation

Sue Schlenner
1233 Winchester Avenue
Camelot Square Mobile Home Park
Mobile home installation

Don Klein
707 Nuese Lane
Nuese 2nd Addition, Block 2, Lot 2
dwelling, \$45,000

Richard & Beverly Boyer
203 Carrow Street
Sunrise Park Addition, Block 2, Lot 19
deck, \$450

Michael Ellingson
601 Kendall Street
Howard's Add., Lot: W½ of 5
demolish existing garage and
build new garage, \$4,000

Lionel Bolden
402 South Whitney
First Addition to Morningside Height,
Block 6, Lot 9
partition in basement, \$200

Geske Building
109 Park Avenue
Liberty Park Addition, Block 2, Lot 14-16
reside residence, \$3,974

TEMPORARY - EXPIRES 11-6-81
Reading & Bates Construction Co.
1003 Southview Drive
Section 9, Part of NE¼
temporary structure #2
\$0

Marian A. Neff
1252 Winchester Avenue
Camelot Square Mobile Home Park
Mobile home installation

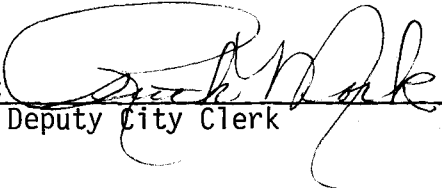
Hirmer moved, Hoffman seconded, to include in the 1981 improvement resolutions previously adopted: no interest charged if paid prior to September 1, 1981. All voted aye.

Schlagel moved, Purrington seconded, that a follow up on an energy report for the Municipal Building and Library be prepared by Emmanuelson for \$100.00. All voted aye.

Upon motion by Schlagel, seconded by Hirmer, the meeting was adjourned. All voted aye.


Mayor

ATTEST:


Deputy City Clerk

SPECIAL MEETING - MAY 20, 1981

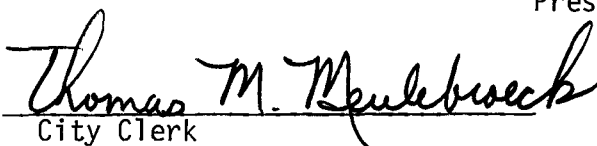
The special meeting of the Common Council of the City of Marshall was held on May 20, 1981. The meeting was called to order by President Pro-Tem Hirmer at 12:13 P.M. In addition to President Pro-Tem Hirmer the following members were present: Berre, Purrington, and Rogalski. Absent: Schlagel, Ritter and Hoffman.

The purpose of this meeting was to consider a dance permit for Ron Peterson and his band Riff Raff to hold a dance at the National Guard Armory between the hours of 8:00 P.M. and 12:00 P.M. on Friday, May 22, 1981.

Berre moved, Rogalski seconded, the dance permit for Ron Peterson and his band Riff Raff be approved for a dance to be held at the National Guard Armory on Friday, May 22, 1981 between the hours of 8:00 P.M. and 12:00 P.M. Mr. Peterson was in attendance at the meeting and indicated he had made arrangements with the Marshall Police Department for police security. Mr. Peterson was informed by the council members in attendance at this meeting of the state statutes concerning necessary identification to attend such a dance. All voted in favor of the motion.

Upon motion by Purrington, seconded by Berre the meeting was adjourned. All voted aye.


President Pro-Tem

ATTEST: 
City Clerk

REGULAR MEETING - JUNE 1, 1981

The regular meeting of the Common Council of the City of Marshall was held on June 1, 1981. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the Mayor the following members were present: Ritter, Purrington, Hoffman, Hirmer, Berre and Rogalski. Absent: none.

Hirmer moved, Hoffman seconded, the approval of the minutes of the regular meeting of the Common Council held on May 18, 1981 and the minutes of the special meeting of the Common Council held on May 20, 1981 as filed with each member. All voted in favor of the motion.

A public re-hearing on the Preliminary Plat for Viking, 3rd Addition was held at this time. Mr. Pat McFarland, agent for this parcel of property was in attendance at the meeting to answer any questions. Mr. Brian Boysen a resident in this area was also in attendance at the meeting and spoke in behalf of residents in this area who were opposed to thru traffic on James Avenue from Saratoga Street to Lawrence Street. Pastor Steven Melvin, Pastor of the Calvary Baptist Church which will be building in this vicinity spoke in favor of James being a through street. Mr. Duane Aden, City Engineer, felt that with James Street being a thorough fare there would be no serious problems. Hirmer moved, Schlagel seconded, the approval of the Preliminary Plat for Viking, 3rd Addition. All voted in favor of the motion. Mr. Pat McFarland indicated to the council that on behalf of the Gray's who own this property they would be willing to dedicate Southview Drive from Saratoga Street to South First Street provided the assessments are deferred for this parcel of property.

A bid was received, opened and read at this time for the Sanitary Sewer Project No. SAS 1981B. This project provides for Sanitary Sewer across Southview Drive to serve the new office building for Speedway Moving and any future development on city property at this location. The bid received, opened and read was from Bartz Excavating, Ivanhoe, Minnesota in the amount of \$3,267.00. A letter was received from Jim Archbold, President of Speedway Moving and Storage, Inc., stating they would not appeal their assessment for this project.

The second series of bids received, opened and read were for Bituminous Surfacing Project No. BS 1981B for the Alley in Block 3 of Morningside Heights Addition. The bids received, opened and read were from Duininck Brothers & Gilchrist, Prinsburg, Minnesota in the amount of \$5,241; and from McLaughlin & Schulz, Marshall, Minnesota in the amount of \$1,743.25.

REGULAR MEETING - JUNE 1, 1981 (CONT'D.)

The third series of bids received, opened and read were for the 1981 Bituminous Overlay Requirements. The bids received were from Duininck Bros. & Gilchrist, Prinsburg, Minnesota in the amount of \$88,821.20; and McLaughlin & Schulz, Inc., Marshall, Minnesota in the amount of \$96,810.25.

The fourth and final series of bids received, opened and read were for the 1981 Bituminous Seal Coat Requirements. The bids received were from Highway Surfacing, Marshall, Minnesota in the amount of \$34,521.50; and McLaughlin & Schulz, Marshall, Minnesota in the amount of \$32,581.50.

All bids were referred to the City Engineer for evaluation.

Upon the recommendation of the Legislative and Ordinance Committee, Berre moved, Hirmer seconded, the adoption of ORDINANCE NUMBER 103, SECOND SERIES and that the reading of the same be waived. Ordinance Number 103, Second Series is an ordinance amending certain sections of the City Code Chapter 5. This ordinance provides that a temporary non-intoxicating liquor license may be issued for 1 to 3 days for a fee of \$10.00 and that a longer temporary license could be issued up to 4 months at a monthly rate of \$15.00. All voted in favor of the motion.

Berre moved, Schlagel seconded, the adoption of ORDINANCE NUMBER 104, SECOND SERIES and that the reading of the same be waived. Ordinance Number 104, Second Series is an ordinance rezoning property at 1000 - 1008 Willow, Lots 1, 2, 3, 4, & 5, Block 5, VerMarv Addition from R-1 to R-2. Mr. Ted Haugen of 902 Birch was concerned since he did not receive a notice in regard to a zoning change on this parcel of property. Mr. Haugen was informed all residents within 200 feet of the property being rezoned are notified individually and that anyone beyond 200 feet is notified through the legal notices of the local paper. Mr. Haugen was informed any future improvements for more than 8 housing units on this parcel of property would have to be considered by the council. All voted in favor of the motion.

A discussion was held at this time on the renewal of the annual contract with Corporate Risk Managers, Inc., for the period June 1, 1981 through May 31, 1982. Schlagel moved, Berre seconded, the proper city officials be allowed to enter into a contract with Corporate Risk Managers, Inc., for the period June 1, 1981 through May 31, 1982 at a rate of \$400 per day which is not to exceed \$4,400 for the year and that anything in excess of the \$4,400 must receive council approval. It was the councils request that a detail breakdown of expenses be submitted with each pay request. All voted in favor of the motion.

A discussion was held at this time as to which financial institutions the City of Marshall bank accounts should be maintained. Art Cooper from Western Bank & Trust, Doug Bultman and Bob Wilson from First Northwestern National Bank, and Arden Peterson from First State Bank of Minnesota, Marshall Branch, were in attendance at the meeting to discuss this item. Hoffman moved, Schlagel seconded, this item be referred to the Ways & Means Committee to discuss at a meeting to be held on June 9, 1981 at 12 o'clock noon at the Hanging Forest and to report back at the next regular meeting on June 15, 1981. All voted in favor of the motion.

Hoffman moved, Hirmer seconded, the adoption of RESOLUTION NUMBER 472, SECOND SERIES and that the reading of the same be waived. Resolution Number 472, Second Series is a resolution designating the legal depositories for the City of Marshall which are: First Northwestern National Bank of Marshall, Western Bank & Trust of Marshall, Lyon County Federal Savings & Loan Association of Marshall, Pipestone Federal Savings and Loan Association of Marshall, and First State Bank of Minnesota, Marshall Branch. All voted in favor of the motion.

Purrington moved, Hirmer seconded, the introduction of an ordinance allowing for the sale of a parcel of part of Pond No. 2 which is approximately 50 feet in width and 600 feet in length along the Burlington Northern Railroad right-of-way to the Marshall Industrial Foundation for \$500.00 an acre to allow for them to sell to an industrial development for a track extension for the development of a grain loading facility. All voted in favor of the motion.

Purrington moved, Ritter seconded, the adoption of RESOLUTION NUMBER 473, SECOND SERIES and that the reading of the same be waived. Resolution Number 473, Second Series is a resolution amending the assessment roll for the Storm Sewer Project No. MSAS Project S.P. 139-123-01. This resolution abates the assessment for storm sewer in Nuese 1st Addition. All voted in favor of the motion.

A letter was received from the United Postal Service, a United States Government Owned Corporation indicating that they are not subject to the

REGULAR MEETING - JUNE 1, 1981 (CONT'D.)

assessment for the removal of parking meters dated December 10, 1980. Schlagel moved, Purrington seconded, the adoption of RESOLUTION NUMBER 474, SECOND SERIES and that the reading of the same be waived. Resolution Number 474, Second Series is a resolution amending the assessment roll for the removal of the parking meters. This resolution provides for the deletion of the \$250 per year assessment, 1981 - 1985, to the United Postal Service for the removal of parking meters. All voted in favor of the motion.

Hoffman moved, Hirmer seconded, the adoption of RESOLUTION NUMBER 475, SECOND SERIES and that the reading of the same be waived. Resolution Number 475, Second Series is a resolution amending the assessment roll for Project No. W 1981A. This resolution provides for eliminating assessments against 2 lots on Brian and "E" Streets and for the Municipal Utilities to reimburse the city for the assessments for the watermain replacement on "G" Street in Nuese Addition. All voted in favor of the motion.

A discussion was held at this time on the proposed flood control improvement project developed by the Corps of Engineers. A meeting was held in the City of Marshall with the Army Corps of Engineers to discuss the feasibility report not the actual design of the project. If nothing is done with this project it will have an effect on the future flood threats, insurance premiums and issuing of building permits within the City of Marshall. Mr. Don Kerkvliet a rural farmer felt that this item should be tabled since it is involving the use of everyone's tax money and that the rural area would not benefit from this project. Councilperson Berre informed the council and other members in attendance that the purpose of continuing with this project was to receive funding for further study of the details and design not the actual funding of the improvement and that the Township and County Officials could be involved in the design of this project. Berre moved, Schlagel seconded, that a committee be appointed by the mayor to review the flood control project and to make a recommendation on the possible solution to the problems. All voted in favor of the motion.

Hirmer moved, Berre seconded, and it was unanimously approved that the following bills be approved for payment: LIQUOR FUND, Voucher No. 26672 through 26700; DEBT SERVICE FUND, Voucher No. 1561; WASTEWATER FACILITIES FUND, Voucher No. 2373 through 2387; SPEICAL ASSESSMENT FUND, Voucher No. 140; PARKING SYSTEM FUND, Voucher No. 2489 through 2497; GENERAL FUND, Voucher No. 70950 through 71035.

The following building permits and mobile home permits previously approved by the City Engineer were confirmed:

Edmund Gander
411 Kossuth Street
Faye F. Reeds Addition, Block 2, Lot 3 & 4
siding, \$1,500

Schwan's Sales Enterprises
600 Michigan Road
Industrial Park #1, Block 6, Lot 1 & 4
shipping room, \$8,200

Slagel & Wambeke, Inc.
233 North Hill Street
Schulz Addition, Block 2, Lot 3 & 4
remodel and repair, \$4,000

Slagel & Wambeke, Inc.
314 West Main Street
Original Plat, Block 9, Lot 18
retail store, \$3,500

James Eatros Jr.
614 South Fourth Street
Eatros Place, Block 1, Lot 8
deck, \$500

Randy Schultz
446 West Main Street
Original Plat, Block 8, Lot 12
retail store, \$2,000

Calvary Baptist Church
Viking Addition, Block 7, Lot 2
Unattached temporary Church
identification sign. \$0

H & R Block
1214 East College Drive
Section 3, Part of SW¼
unattached sign, \$0

Leonard DeSchepper
301 and 303 West College Drive
Blakes Addition, Block 8
flat wall signs, \$1,000

Kim Henspeter
311 East Redwood Street
Hobert's Addition, Block 3, Lot 3
garage and screened porch, \$3,940

Carlson & Stewart Refrig., Inc.
1604 Halbur Road
Industrial Park #2, Block 2, Lot 2
cold storage, \$129,000

Henry Polman
623 South 4th Street
Nielsen's 3rd Addition, Block 1, Lot 1
Enclose patio, \$800

REGULAR MEETING - JUNE 1, 1981 (CONT'D.)

James Culhane
102 South Hill Street
Morningside Heights Add.
Block 2, Lot 9
unattached garage, \$3,000

Alan Macht
901 Elaine Avenue
Westmar Lots, Block 1, Lot 8
garage, \$3,000

Electrolux
314 West Main Street
Original Plat, Block 9, Lot 18
attached sign, \$160

David Sitzmann
410 South Bruce Street
VanUden Addition, Block 1, Lot 9
Utility Shed

Jeanette M. Hastings
331 Timberlane Drive
Village Park
Mobile home installation

Robert & Susan Walker
1263 Winchester Avenue
Camelot Square
Mobile home installation

Berre moved, Hirmer seconded, the approval of a rear yard variance of 6" rather than the 15' required by City Code for David Sitzmann of 410 South Bruce Street to relocate a utility shed. All voted in favor of the motion.

Councilperson Hirmer indicated to the council that the Northern By-Pass Committee has met and had decided to do a feasibility study to decide where the northern by-pass should be constructed and to do some traffic surveys in this area.

Councilperson Hoffman indicated to the council that the Personnel Committee had met to review the employee benefits and the consumer price index increases.

Berre moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 476, SECOND SERIES and that the reading of the same be waived. Resolution Number 476, Second Series is a resolution awarding the bid to Bartz Excavating, Ivanhoe, Minnesota in the amount of \$3,267.00 for Sanitary Sewer Project No. SAS 1981B. All voted in favor of the motion.

Berre moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 477, SECOND SERIES and that the reading of the same be waived. Resolution Number 477, Second Series is a resolution declaring the amount to be assessed and calling for an assessment hearing on Project No. SAS 1981B. The assessment hearing was set for July 6, 1981 at 7:30 P.M. All voted in favor of the motion.

Hoffman moved, Hirmer seconded, the adoption of RESOLUTION NUMBER 478, SECOND SERIES and that the reading of the same be waived. Resolution Number 478, Second Series is a resolution declaring the amount to be assessed and calling for an assessment hearing on Project No. BS 1981B. The assessment hearing was set for July 6, 1981 at 7:30 P.M. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, the bid for the 1981 Bituminous Overlay Requirements be awarded to Duininck Bros. & Gilchrist, Prinsburg, Minnesota in the amount of \$88,821.20. All voted in favor of the motion.

Ritter moved, Hoffman seconded, the bid for the 1981 Seal Coat Requirements be awarded to McLaughlin & Schulz, Marshall, Minnesota in the amount of \$32,581.50. All voted in favor of the motion.

Councilperson Hirmer informed the council and other members in attendance at the meeting that there will be a Community Development Block Grant Program public hearing on June 16, 1981 between 7 o'clock P.M. and 9:30 P.M. at the Murray County Courthouse Annex, Slayton, Minnesota and requested that someone from the City of Marshall be in attendance at this meeting.

Upon motion made by Schlagel, seconded by Berre, the meeting was adjourned. All voted in favor of the motion.

Attest:

Thomas M. Meulbroeck
City Clerk

Mayor

B. P. Schlagel

REGULAR MEETING - JUNE 15, 1981

The regular meeting of the Common Council of the City of Marshall was held on June 15, 1981. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the Mayor the following members were present: Purrington, Ritter, Hirmer, Hoffman, Rogalski and Berre. Absent: none.

Hoffman moved, Rogalski seconded, the approval of the minutes of the regular meeting of the Common Council held on June 1, 1981 as filed with each member. All voted in favor of the motion.

A public hearing was held at this time on the preliminary plat for Nielsen's 9th Addition. Mr. Duane Aden, City Engineer, reviewed the preliminary plat with the Council and indicated that the demisions on Lots 2 & 3 of this addition will probably have to be waived since they are less than the required by City Code. Hirmer moved, Schlagel seconded, the approval of the preliminary plat for Nielsen's 9th Addition. All voted in favor of the motion.

Bids were received, opened and read at this time for the Storeroom Addition to the Marshall Municipal Liquor Store. The bids received, opened and read were from Bladholm & Hess Construction, Inc., Marshall, Minnesota, \$59,650.00; Dulas Construction, Inc., Marshall, Minnesota, \$61,395.00; Southwest Farm and Homes, Cottonwood, Minnesota, \$74,993.04; Space Development Company, Marshall, Minnesota, \$48,548.00; and SWesta Builders, Inc., Marshall, Minnesota, \$58,000.00. These bids were referred to the City Engineer, Duane Aden, and Municipal Liquor Store Manager, Jim VanHyfte, for their review.

Schlagel moved, Berre seconded, the adoption of ORDINANCE NUMBER 105, SECOND SERIES, and that the reading of the same be waived. Ordinance Number 105, Second series is an ordinance providing for the sale of approximately 1 acre of the Lagoons to the Marshall Industries Foundation. All voted in favor of the motion.

Hoffman moved, Hirmer seconded, the adoption of RESOLUTION NUMBER 479, SECOND SERIES, and that the reading of the same be waived. Resolution Number 479, Second Series is a resolution approving the final plat for Viking 3rd Addition. All voted in favor of the motion.

Hirmer moved, Hoffman seconded, the introduction of an ordinance to rezone property at 109 - 111 East Main Street from R-2 to B-1 as requested by Mr. Robert Tholen of Lyon County Realty. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, the following consumption and display - set-up licenses be approved for the license year commencing July 1, 1981: The Chalet, VFW, Marshall Lanes, Eagles Club, Best Western - Marshall Inn and the American Legion. All voted in favor of the motion.

Hirmer moved, Berre seconded, the approval of a gambling permit for the Minnesota Waste Association for a raffle to be conducted on August 21, 1981 at 914 West Main Street and that the bond requirement for this gambling license be waived. All voted in favor of the motion, except Ritter who abstained.

Schlagel moved, Ritter seconded, the introduction of an ordinance amending the zoning ordinance as it relates to day care facilities and residential facilities in R-1 and R-2 zoning districts. This ordinance would amend the zoning ordinance to bring it into compliance with State Statutes and Welfare Department guide lines which would provide for classes of permitted uses and conditional uses for both types of facilities. All voted in favor of the motion, except Hirmer who voted no.

A discussion was held at this time on the City of Marshall's interest in purchasing the property that had been abandoned by the Chicago Northwestern Railroad. Hoffman moved, Hirmer seconded, the purchase of any portion of property abandoned by the Chicago Northwestern Railroad be referred to the Ways and Means Committee for them to make a recommendation as to what parts of the property the City of Marshall would be interested in purchasing. All voted in favor of the motion.

Berre moved, Ritter seconded, the appointment of Catherine Schlagel to the Parks, Recreation and Community Education Board to fill the vacancy created by the resignation of Darrel Wiener. This term is for the period July 1, 1981 through February 28, 1983. This appointment is contingent upon the approval of the Marshall School Board. All voted in favor of the motion, except Schlagel who abstained.

REGULAR MEETING - JUNE 15, 1981 (CONT'D.)

Hoffman moved, Berre seconded, the adoption of RESOLUTION NUMBER 480, SECOND SERIES and that the reading of the same be waived. Resolution Number 480, Second Series is a resolution approving the election of James Heller to be excluded from the Public Employees Retirement Association. This resolution provides for the City Administrator to be excluded from the PERA retirement system, to withdraw the money he has paid into PERA and that the city's share of PERA of 5½% and the city administrator's share of 4% be paid into the ICMA Deferred Compensation Plan. The mayor was selected as the proper city official to sign the joinder agreement for the city administrator to join the ICMA Deferred Compensation Plan. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, Wednesday, June 17, 1981 at 5:00 o'clock P.M. be the date set for the award of the contracts for the 1981 Improvement Projects. All voted in favor of the motion.

A discussion was held at this time on the development of the Comprehensive Plan. A meeting has been set for Thursday, July 2, 1981 at 7:00 o'clock P.M. in the City of Marshall Council Chambers for the Planning Commission and the City Council to discuss the development of the plan.

Hirmer moved, Schlagel seconded, and it was unanimously approved that the following bills be approved for payment: LIQUOR FUND, Voucher No. 26701 through 26729; DEBT SERVICE FUND, Voucher No. 1562 through 1565; WASTEWATER FACILITIES FUND, Voucher No. 2388 through 2413; PARKING SYSTEM FUND, Voucher No. 2498 through 2503; SPECIAL ASSESSMENT FUND, Voucher No. 141 through 145; GENERAL FUND, Voucher No. 71036 through 71168. The payment to Big Bob's Service of \$1,277 was questioned by some of the Council members. This statement was for storage fees on the abandoned vehicles that were sold at a public auction on May 19, 1981. It was the general consensus that abandoned vehicles would not be stored for this long of a period in the future.

The following building permits and mobile home permits previously approved by the City Engineer were confirmed:

Thomas Polfliet
1002 Poplar Street
VerMar Addition, Block 3, Lot 4
deck and kitchen, \$3,500

Michael Osmond
103 & 105 South 5th St.
Original Plat, Block 5, Lot 18
2 attached signs, \$100

Kenneth & Charlotte Gannott
310 South 1st St.
Part of Grimes Addition
reside dwelling, \$7,400

Bob Funk
110 South 8th St.
Section 5, Part of NE¼
relocate sign. \$0

Rosemary Adams
704 North 6th St.
Fre-Mar 1st Add., Block 2, Lot 22
Garage, \$4,000

Vincent Garrow
204 East Redwood St.
Original Plat, Block 3, Lot 24
Deck, \$700

D.J.R. Partnership
1400 East Lyon St.
Section 10, Part of NE¼
Interior partitions, \$8,000

Henry Hauck
802 Nuese Lane
Nuese 2nd Add., Block 4, Lot 2
Deck, \$900

Henry Polman
623 South 4th St.
Nielsen's 3rd, Block 1, Lot 1
Reside dwelling, \$3,920

Conrad Prairie
716 Marquerite Avenue
Eatros Place, Block 3, Lot 19
Screened patio, \$1,400

Geske Building
410 Mason Street
Faye F. Reeds Addition, Block 2,
Lots 26 & 27
reside dwelling, \$3,418

Good Shepherd Lutheran Church
604 Roosevelt Street
Van Udens Add., Block 3, Lot 8
reside dwelling, \$600

T & D Unlimited
414 North 5th St.
Stewart & Jenkins Addition
Block 1, Lot 10
Deck, \$1,100

T & D Unlimited
105 North 7th Street
Steward & Jenkins Addition,
Block 7, Part of Lots 7 & 8
Deck, \$330

Alpha Goldstein
1244 Winchester Avenue
Camelot Square
Entry, \$400

REGULAR MEETING - JUNE 15, 1981 (CONT'D.)

Jim Lorenz
703 Sara Circle
Westmar Lots, Block 4, Lot 2
Garage, \$2,500

Steve Malherk
122 Spruce Lane
Village Park
Installation of mobile home

Kenneth & Beulah Lavoie
205 DeSchepper Street
Viking Addition, Block 1, Lot 7
Dwelling, \$50,000

Gary Steinhoff
1239 Avalon Avenue
Camelot Square
Installation of mobile home

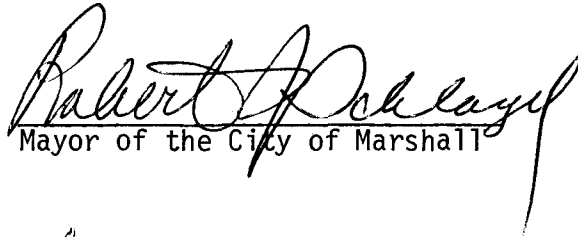
Hirmer moved, Schlagel seconded, the approval of a rear yard variance for Mike Gruhot of 108 South 1st Street of 6'6" rather than the 15' required by the City Code to construct a garage and the approval of a rear yard variance for Larry VanMoer of 407 South 5th Street of 4' rather than the 15' required by City Code and a side yard variance of 3.7' rather than the 5' to construct a garage. All voted in favor of the motion.

Councilperson Purrington indicated to the council that the Ways and Means Committee had met and discussed which banking institution should maintain our bank accounts. A meeting was scheduled for Tuesday, June 23, 1981 at 12 o'clock at the Hanging Forest to discuss this in more detail.

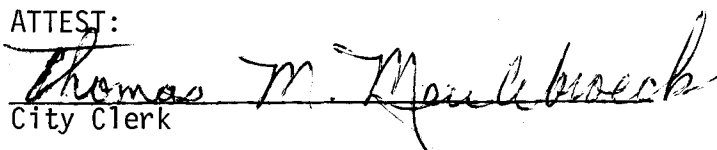
A special meeting of the council was scheduled for Tuesday, June 23, 1981 at 7:30 P.M. to discuss the 1980 audit with our auditors Gold, Carlson and Minehart.

Jim Heller, City Administrator, informed the council that the Planning Commission had expressed a concern that when a new area is platted that it also be zoned at the same time.

Upon motion made by Schlagel, seconded by Hirmer, the meeting was adjourned. All voted in favor of the motion.


Mayor of the City of Marshall

ATTEST:


City Clerk

SPECIAL MEETING - JUNE 17, 1981

A special meeting of the Common Council of the City of Marshall was held on June 17, 1981. The meeting was called to order by Mayor Schlagel at 5:00 o'clock P.M. In addition to the mayor the following members were present: Purrington, Hirmer and Berre. Absent: Ritter, Hoffman and Rogalski.

The purpose of this meeting was to receive the bids for the 1981 General Obligation Improvement Bonds and to award the bids for the 1981 Improvement Projects.

The City Administrator provided affidavits showing the publication in the official newspaper of the city, The Independent, and the Commercial West at Minneapolis, Minnesota. The notice of sale of \$565,000 General Obligation Bonds of 1981, of which \$225,000 are General Obligation Improvement Bonds and \$310,000 are General Obligation State Aid Street Bonds, of the City as described by resolution adopted May 18, 1981. The affidavits were examined, approved and ordered placed on file. The administrator then reported 6 sealed bids for the bonds had been received in his office in accordance with the notice of sale. The bids were publicly opened and read by Dick Treptow of Springsted's Inc., and considered and were found to be as follows: Bank Northwest, \$560,039, net interest cost of \$250,509.75 at a rate of 9.404402%; Dain Bosworth Inc., \$560,021.10, net interest cost of \$249,573.90 at a rate of 9.369269%; First National Bank of Minneapolis, \$560,005.40, net interest cost of \$254,877.10 at a rate of 9.5683%;

SPECIAL MEETING - JUNE 17, 1981 (CONT'D.)

American National Bank & Trust Co., \$560,000, net interest cost of \$263,996.25 at a rate of 9.91069%; Piper, Jaffrey & Hopwood Inc., \$560,012, net interest cost of \$247,468 at a rate of 9.2902%; and Marquette National Bank, \$560,000, net interest cost of \$249,168.75 at a rate of 9.3540%.

Hirmer moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 481, SECOND SERIES, and that the reading of the same be waived. Resolution Number 481, Second Series is a resolution awarding the sale, authorizing the issuance, prescribing the form and details, and providing for the payment of \$565,000 General Obligation Bonds of 1981. The award of the bid was to Piper, Jaffrey & Hopwood, Inc., to purchase \$565,000 General Obligation Bonds of 1981 of the city to be dated as of July 1, 1981. All voted in favor of the motion.

Purrington moved, Hirmer seconded, the adoption of RESOLUTION NUMBER 482, SECOND SERIES and that the reading of the same be waived. Resolution Number 482, Second Series is a resolution indicating the City of Marshall has issued and sold bonds in the amount of \$310,000 dated July 1, 1981 for the construction of State Aid Highways. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 483, SECOND SERIES and that the reading of the same be waived. Resolution Number 483, Second Series is a resolution awarding the bid for Grading, Bituminous Base, Bituminous Surfacing, Curb & Gutter, Storm Sewer and Misc. work for Municipal State Project No. S.A.P. 139-123-01 to McLaughlin & Schulz, Inc., Marshall, Minnesota in the amount of \$335,568.41. All voted in favor of the motion.

Schlagel moved, Purrington seconded, the adoption of RESOLUTION NUMBER 484, SECOND SERIES and that the reading of the same be waived. Resolution Number 484, Second Series is a resolution awarding the bid for Curb & Gutter Project No. CG 1981A to Harvey Buchholtz Construction, Marshall, Minnesota in the amount of \$7,540.48. All voted in favor of the motion.

Berre moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 485, SECOND SERIES and that the reading of the same be waived. Resolution Number 485, Second Series is a resolution awarding the bid for Bituminous Surfacing Project No. BS 1981A to Dunninck Bros., & Gilchrist, Prinsburg, Minnesota in the amount of \$62,350.49. All voted in favor of the motion.

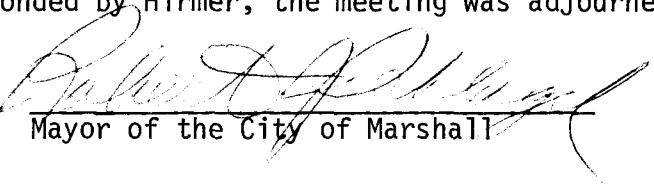
Schlagel moved, Purrington seconded, the adoption of RESOLUTION NUMBER 486, SECOND SERIES and that the reading of the same be waived. Resolution Number 486, Second Series is a resolution awarding the bid for Street Grading & Gravel Base Project No. SG-GB 1981A to McLaughlin & Schulz, Inc., Marshall, Minnesota in the amount of \$6,376.42. All voted in favor of the motion.

Berre moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 487, SECOND SERIES and that the reading of the same be waived. Resolution Number 487, Second Series is a resolution awarding the bid for Watermain Project No. W 1981A to Winter Construction, Pipestone, Minnesota in the amount of \$38,985.00. All voted in favor of the motion.

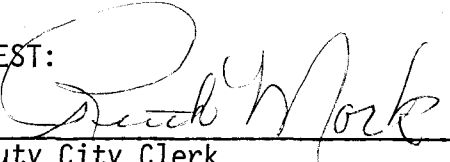
Hirmer moved, Berre seconded, the adoption of RESOLUTION NUMBER 488, SECOND SERIES and that the reading of the same be waived. Resolution Number 488, Second Series is a resolution awarding the bid for Sanitary Sewer Project No. SAS 1981A to Winter Construction, Pipestone, Minnesota in the amount of \$118,195. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, the approval of a change order for the Sanitary Sewer Project No. SAS 1981A with Winter Construction authorizing the use of P.V.C. Pipe with sand bedding as an alternate in lieu of V.C. Pipe for 18" and 21" diameter sizes. There is no cost involved in this change order. All voted in favor of the motion.

Upon motion made by Schlagel, seconded by Hirmer, the meeting was adjourned. All voted in favor of the motion.


Mayor of the City of Marshall

ATTEST:


Deputy City Clerk

SPECIAL MEETING - JUNE 23, 1981

The special meeting of the Common Council of the City of Marshall was held on June 23, 1981. The meeting was called to order by President Pro-Tem Robert Hirmer at 7:30 P.M. In addition to Mr. Hirmer the following members were present; Rogalski, Ritter, Berre and Hoffman. Absent: Purrington and Mayor Schlagel.

George Minehart and Keith Cooreman of the accounting firm of Gold, Carlson and Minehart, presented and reviewed with the Council the Financial Audit for the fiscal year ending December 31, 1980.

Hoffman moved, Berre seconded, that \$87,335.00 be transferred from contingency to balance the changes of the final audit. All voted aye, except Rogalski who voted no.

Be it noted the arrival of Mayor Schlagel

Mr. Minehart recommended the closing of the following funds into other accounts as the Bond Issues are paid in full: (1) The balance of the Street Improvement - Debt Service Fund be closed into the Flood Control - Debt Service Fund; (2) The balance of the Municipal State Aid - Debt Service Fund be closed into the 1981 Improvement - Special Assessment Debt Service Fund; (3) The balance of the 1969 Improvement - Special Assessment Fund Debt Service be closed into the 1971 Improvement - Special Assessment Fund Debt Service. Hoffman moved, Hirmer seconded, the approval of Mr. Minehart recommendations. All voted in favor of the motion.

Hoffman moved, Hirmer seconded, the approval of the annual audit along with the adoption of RESOLUTION NUMBER 489, SECOND SERIES and that the reading of the same be waived. Resolution Number 489, Second Series is a resolution reallocating budget amounts for fiscal year ending December 31, 1980. All voted in favor of the motion.

Rogalski moved, Schlagel seconded, that the Park & Recreation Trust Fund Savings Account be closed into the General Fund with a separate ledger account number. All voted aye.

Because of a court settlement dated January, 1978 with Robert Binger, President of Marshall Salvage Co., Berre moved, Hoffman seconded, that \$1,000.00 be transferred from General Fund Contingency and paid to the 1976 Improvement Special Assessment Fund. All voted aye.

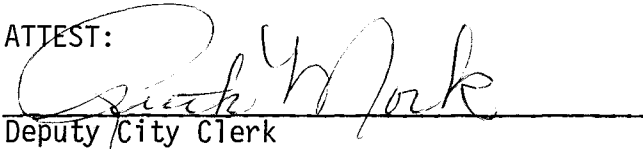
Hoffman moved, Berre seconded, the request of the Marshall Chamber of commerce for a fireworks display permit on June 28, 1981 be put on the agenda. All voted aye.

Schlagel moved, Berre seconded, that a permit be allowed for the Chamber of Commerce on June 28, 1981 for a fireworks display. All voted aye.

Upon motion by Hirmer, seconded by Hoffman, and it was unanimously approved that the meeting be adjourned.


President Pro-Tem

ATTEST:

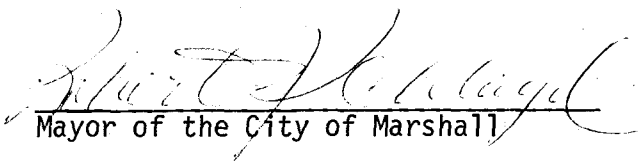

Deputy City Clerk

SPECIAL MEETING - JUNE 25, 1981

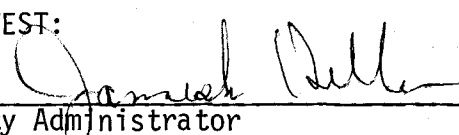
The special meeting of the Common Council of the City of Marshall was held on June 25, 1981. The meeting was called to order by Mayor Schlagel at 5:00 P.M. In addition to the Mayor the following members were present: Purrington, Ritter, Hirmer, Rogalski and Berre. Absent: Hoffman (out of town).

Mayor Schlagel stated the purpose of this meeting was to consider an application for a three day temporary non-intoxicating liquor license from the Marshall Jaycees for use at the Lyon County Fairgrounds for the Rolle Bolle Tournament on June 27th and 28th, 1981. Hirmer moved, Schlagel seconded, that the application be approved. All voted in favor of the motion, except Berre who abstained.

Schlagel moved, Berre seconded, that the meeting be adjourned. All voted in favor of the motion.


Mayor of the City of Marshall

ATTEST:


City Administrator

REGULAR MEETING - JULY 6, 1981

The regular meeting of the Common Council of the City of Marshall was held on July 6, 1981. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the Mayor the following members were present: Purrington, Ritter, Hirmer, Hoffman, Rogalski and Berre. Absent: none.

Hirmer moved, Ritter seconded, the approval of the minutes of the regular meeting of the Common Council held on June 15, 1981 and the special meetings of the Common Council held on June 17, 23, & 25, 1981 as filed with each member. All voted in favor of the motion.

A public hearing was held at this time on the assessment for Bituminous Surfacing on the Alley in Block 3, Morningside Heights Addition. With no objections, Hoffman moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 490, SECOND SERIES and that the reading of the same be waived. Resolution Number 490, Second Series is a resolution approving the assessment roll for Project No. BS 1981B and setting the interest rate at 11% with an 8 year payment period with no interest charged if paid by 9-1-81. All voted aye, except Purrington who abstained.

A public hearing was held on the Sanitary Sewer for Southview Drive crossing at a point approximately 200 feet Westerly of the Chicago & Northwestern Railroad Crossing. With no objections, Hoffman moved, Ritter seconded, the adoption of RESOLUTION NUMBER 491, SECOND SERIES and that the reading of the same be waived. Resolution Number 491, Second Series is a resolution approving the assessment roll for Project No. SAS 1981B and setting the interest rate at 11% with an 8 year payment period with no interest charged if paid by 9-1-81. All voted aye.

On June 15, 1981 bids were received, opened and read for the expansion of the Municipal Liquor Store. Schlagel moved, Rogalski seconded, the bid for the expansion on the Municipal Liquor Store be awarded to Space Development Co., of Marshall, Minnesota in the amount of \$48,548. This bid was the lowest of the 5 bids received. It was the general consensus of the council that this bid was too high and that alternatives to the proposed improvement be investigated. Rogalski, Schlagel and Ritter voted in favor of the motion. Hirmer, Hoffman, Berre and Purrington voted no. The motion was defeated.

As requested by Lyon County Realty, Berre moved, Schlagel seconded, the adoption of ORDINANCE NUMBER 106, SECOND SERIES and that the reading of the same be waived. Ordinance Number 106, Second Series is an ordinance amending Chapter 11 of the City Code relating to zoning. This ordinance provides for the property at 109 & 111 East Main to be rezoned from R-2 to B-1. All voted in favor of the motion.

REGULAR MEETING - JULY 6, 1981 (CONT'D.)

Hoffman moved, Purrington seconded, the adoption of ORDINANCE NUMBER 107, SECOND SERIES and that the reading of the same be waived. Ordinance Number 107, Second Series is an ordinance amending certain sections of the City Code, Chapter 11 relating to day care facilities and residential facilities in R-1 and R-2 zoning districts. All voted in favor of the motion, except Hirmer and Purrington who voted no.

Neil Jensen and Paul Peterson of the Weiner Memorial Medical Center were in attendance at the meeting to discuss the Hospital Boards recommendation to purchase a hematology analyzer for the hospital laboratory. Hirmer moved, Berre seconded, the recommendation of the Hospital Board be approved to enter into a 60 month lease purchase agreement with Coulter Electronics Inc., for a \$36,000 hematology analyzer for the hospital laboratory. At the end of the 60 month period the Weiner Memorial hospital will own this equipment for \$1.00. All voted in favor of the motion.

Mr. Robert Wendel of the United States Conference of Mayors was in attendance at the meeting to discuss a deferred compensation plan for the City of Marshall employees. Hirmer moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 492, SECOND SERIES and that the reading of the same be waived. Resolution Number 492, Second Series is a resolution establishing a deferred compensation plan for the City of Marshall with the United States Conference of Mayors. All voted in favor of the motion.

Mr. Ken Benefeld, Criminal Justice Reporting System, Section of Bureau of Criminal Apprehension, Phil Bayles and Jeff Swanson from Tele-Terminals, and Geffrey Wold, computer consultant, from McGladrey-Hendrickson Co., were in attendance at the meeting to discuss with the Council the computer proposal for the City of Marshall. Mr. Jeff Wold spoke in regard to the findings referring to the features and capabilities of the computer for the City of Marshall. Hirmer moved, Schlagel seconded, that the proper city officials be authorized to execute a purchase order with Tele-Terminals for the proper hardware and software for a computer system for the City of Marshall. The Municipal software and modifications is not to exceed \$25,000. Any excess of \$25,000 is to be approved by the City Council. All voted in favor of the motion.

The 1981 Dutch Elm Disease Control and Tree Replacement Program was discussed at this time. Hoffman moved, Hirmer seconded, the City of Marshall continue to pay 50% of the cost for the removal of boulevard trees and 50% for the removal of private property trees not to exceed \$100.00. All voted in favor of the motion.

Hoffman moved, Hirmer seconded, the city will pay 50% of the cost for the 1981 Tree Replacement Program. All voted in favor of the motion.

Berre moved, Ritter seconded, the proper city officials be authorized to enter into a revised sanitation and reforestation agreement with the Minnesota Department of Agriculture for the 1981 Shade Tree Program. This revised agreement is the result of a reduction in the reimbursement from the State of Minnesota to the City of Marshall from 50% to 25%. All voted in favor of the motion.

A discussion was held at this time on the land/easement acquisition of property within Zone "A" of the Marshall Airport. The items discussed in regard to the acquisition of this property was obtaining the legal descriptions of the property within the A Zone; getting appraisals; and when and how to acquire the property. Mr. Aden informed the council and other members in attendance at the meeting that the State of Minnesota would reimburse the City of Marshall their portion of the costs of acquiring this property which is 2/3 share and within approximately 30 days after the city purchases the property. Hoffman moved, Berre seconded, the proper city officials be authorized to continue with surveys and appraisals on the property within Zone "A". All voted in favor of the motion.

Hoffman moved, Purrington seconded, the proper city officials be authorized to make an offer to purchase the Albrecht property within Zone A at the Marshall Municipal Airport and that the offer does not exceed the amount of \$50,000 or the appraised value whichever is less. All voted in favor of the motion, except Hirmer, Rogalski and Berre who voted no.

Councilperson Rogalski felt that a study should be done as an alternative to the acquiring of the property with Airport Zone A referring to relocating the airport.

Hirmer moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 493, SECOND SERIES and that the reading of the same be waived. Resolution Number 493, Second Series is a resolution amending the State Aid Agreement for Airport Acquisition Costs.

REGULAR MEETING - JULY 6, 1981 (CONT'D.)

This resolution provides for the City of Marshall to receive additional funds due to the over run in land cost for land at the Marshall Municipal Airport in reference to Project No. S.P. 4201-23, Contract No. 1051 (1975 Airport Improvement Project). All voted in favor of the motion.

Mr. Harry Weilage, Director of Parks, Recreation and Community Education, was in attendance at the meeting to discuss with the council the changes and developments that have occurred within the Park & Recreation Department in the past year.

Hirmer moved, Purrington seconded, the approval of a supplemental appropriation of \$750.00 from the General Fund Contingency to the Municipal Building account for the transfer to the Parking Meter Fund to pay for the Special Assessment against the Municipal Building of \$400.00 and the Library of \$350.00 for the Downtown Parking Meter Maintenance. The Marshall-Lyon County Library will pay the City of Marshall - General Fund \$350.00. All voted in favor of the motion.

Berre moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 494, SECOND SERIES and that the reading of the same be waived. Resolution Number 494, Second Series is a resolution dividing the City of Marshall into Wards and Precincts. This resolution rescinds the adoption of Resolution Number 457, Second Series adopted April 20, 1981 dividing the City of Marshall into Wards and Precincts at that time. All voted in favor of the motion.

Hirmer moved, Rogalski seconded, and it was unanimously approved that the following bills be approved for payment: DEBT SERVICE, Voucher No. 1566 through 1567; SPECIAL ASSESSMENT FUND, Voucher No. 146 through 150; REVENUE SHARING FUND, Voucher No. 202 through 203; PARKING SYSTEM FUND, Voucher No. 2504 through 2510; WASTEWATER FACILITIES FUND, Voucher No. 2414 through 2435; LIQUOR FUND, Voucher No. 26730 through 26773; GENERAL FUND, Voucher No. 71169 through 71303.

The following building permits and mobile home permits previously approved by the City Engineer were confirmed:

Taylor's Inc.
105 South 1st Street
Original Plat, Block 11, Lot 1
Remodel 2nd floor, \$16,200

Francis Senden
501 Elaine Avenue
Eatros 5th Add., Block 4, Lot 6
Deck, \$200

Rolland Peirce
502 Viking Drive
Viking Add., Block 4, Lot 12
Patio, \$350

Larry VanMoer
407 South 5th Street
Lennards Add., Block 1, Part of Lot 4
Garage, \$1,000

Material Distributors Inc.
427 North 7th Street
Section 33, Part of NW¼
Demolition of small house, \$0

Brian Boysen
505 Viking Drive
Viking Add., Block 4, Lot 7
Bathroom, \$1,000

Minnesota Department of Transportation
220 South 6th Street
Section 5, Part of SE¼
Addition to radio repair shop
\$5,000

Daniel Knofczynski
106 James Avenue
Nielsen's 7th Add., Block 4, Lot 12
Garage, \$900

Gesme's Inc.
107 East Main Street
Original Plat, Block 12, Lot 18
Sign, \$300

R. A. Colvin
506 North 4th Street
Riverside Add., Block 8, Part of
Lots 1 & 2
Soffits and gutter, \$300

Donald Kor
100 South Bruce Street
Morningside Heights Addition
Block 4, Lot 10
Deck, \$125

Geske Building
505 Southview Drive
Eatros Place, Block 5, Lot 18
Reside dwelling, \$3,375

Bruce Fox
605 North 4th Street
Riverside Add., Block 3, Part of Lot 8
Partitions in basement, \$250

Schwan's Sales Enterprises
115 West College Drive
Blakes Addition, Block 2
Build inside marketing office
\$31,500

REGULAR MEETING - JULY 6, 1981 (CONT'D.)

George Jacobs
500 East Southview Drive
Southview Subdivision, Block 3, Lot 16
Remove window and install patio
\$350

James Holt
114 East Main Street
Original Plat, Block 1, Lot 5
Demolish existing garage and move
in garage, \$2,000

Babcock Construction
721 Marquerite
Eatros Place, Block 2, Lot 2
Reside dwelling, \$3,800

Barbara Erickson
336 Timberlane Drive
Village Park
Install mobile home

Councilperson Purrington indicated to the Council that the Ways and Means Committee had met and discussed where bank accounts should be maintained and it was their recommendation that there be nothing done at this time.

Councilperson Purrington also indicated that they had begun reviewing the 5 year capital expenditure plan and that they had discussed the purchasing of the Chicago Northwestern Railroad Property. It was the committee's consensus that the City Engineer and City Administrator be involved with a third party in discussing the purchasing of the abandoned properties of the Chicago Northwestern Railroad.

Duane Aden, City Engineer, informed the council that the Channel Parkway Project and the Lyon Street Aid Project are progressing ahead of schedule. Mr. Aden also informed the council that there is a meeting scheduled for July 7, 1981 at 7:30 P.M. at the Marshall High School for the Marshall Area Chamber of Commerce to discuss the Marshall Flood Plain Project.

City Attorney Brian Murphy had expressed his appreciation to Councilperson Linda Berre for all the time, effort and excellent job she had done on working with the county in regard to the redistricting.

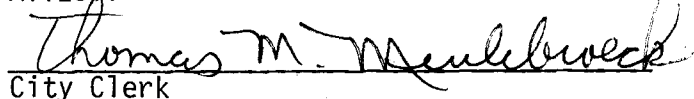
Hoffman moved, Schlagel seconded, the approval of a supplemental appropriation from contingency to the mayor and council travel account in the amount of \$350 be added to the agenda for the recreational facility committee to visit recreation facilities at Litchfield, Hutchinson, Willmar, Windom, New Ulm and Mankato. All voted in favor of the motion.

Hoffman moved, Ritter seconded, the approval of the supplemental appropriation of \$350 from contingency to the mayor and council travel account for the recreational facility committee to tour recreation facilities at Litchfield, Hutchinson, Willmar, New Ulm, Windom and Mankato. All voted in favor of the motion.

Upon motion made by Schlagel, seconded by Ritter, the meeting was adjourned. All voted in favor of the motion.


Mayor of the City of Marshall

ATTEST:


City Clerk

REGULAR MEETING - JULY 20, 1981

The regular meeting of the Common Council of the City of Marshall was held on July 20, 1981. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the mayor the following members were present: Purrington, Ritter, Hirmer, Hoffman, Rogalski and Berre. Absent: none.

Berre moved, Hirmer seconded, the approval of the minutes of the regular meeting of the Common Council held on July 6, 1981 as corrected and as filed with each member. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, the proper city officials be authorized to execute a fire protection service agreement between the City of Lynd and the City of Marshall for the City of Lynd's share of the township contract for fire protection services in the amount of \$600 for the period May 1, 1981 through April 30, 1982. All voted in favor of the motion.

Mr. Jim Heller, City Administrator, and Mr. Garry Rick, Director of Public Safety, had met with Mr. Robert Grupe of Big Bob's Ambulance Service to discuss planning and the transition implementation of a municipal operated ambulance service in place of the current contract agreement with Big Bob's Ambulance Service. From the discussion, October 1, 1981 has been the tentative date set for the transition from Big Bob's Ambulance Service to the City of Marshall Ambulance Service. An outside appraiser has been discussed to appraise the equipment currently owned by Big Bob's Ambulance Service for the City of Marshall's purchase. Mr. Robert Grupe has indicated that he is willing to assist the City of Marshall during the transition period. The number of full time city personnel required to operate the ambulance system was also discussed. There is some concern as to whether 1 or 2 full time personnel will be needed. Hirmer moved, Berre seconded, the proper city officials be allowed to continue with the development of the planning and transition implementation for the City of Marshall Ambulance System, which is tentatively set for October 1, 1981. It was also requested that a job description be drafted for the position of coordinator for the ambulance system to be discussed at the next regular City Council meeting on August 3, 1981. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Hoffman moved, Berre seconded, the approval of a conditional use permit for a community unit project on South 4th Street on the property owned by Mr. Don Slagel to construct one at present and one in the future 4 story 12 unit condominium which would consist of garages on the first floor and 2nd through the 4th floor would each have 4 unit apartments which would be of a wood frame construction type. The conditional use permit is to have a detailed plan attached that would show the total area that presently exists at this site and that any future development other than shown on the plan attached and described in the conditional use permit would be subject to future zoning applications and action. All voted in favor of the motion.

Schlagel moved, Hirmer seconded, the approval of a Bingo License for the Minneota American Legion Post #199 to conduct bingo at the Lyon County Fairgrounds during the Lyon County Fair on August 6 through August 9, 1981. All voted in favor of the motion.

Hoffman moved, Ritter seconded, the approval of a Transient Merchants License for Mr. Jack McEachern of Minneapolis, Minnesota to sell small tools in the City of Marshall during July and August of 1981. Mr. McEachern will be providing the city with a \$5,000 certified check in lieu of the bond requirement. This license is only valid for the period of time that the city has possession of the \$5,000, which is to be so noted on the license. All voted in favor of the motion, except Berre and Schlagel who voted no.

Hoffman moved, Schlagel seconded, the North Star Club, an organization of the members of the National Guard, be refunded \$60 for the 1981 non-intoxicating beer license. According to Minnesota State Statutes 340.134 such organizations are no longer subject to authority of local ordinances. All voted in favor of the motion, except Hirmer who voted no.

Hoffman moved, Hirmer seconded, the approval of a Transient Merchants License for Daryl Blomdahl, Larry Fitzsimmons, and Alfonso Sillonis of the Southwestern Company to sell educational and religious books in the City of Marshall. This license is granted upon the receipt of the required bond. All voted in favor of the motion, except Berre and Schlagel who voted no.

REGULAR MEETING - JULY 20, 1981 (CONT'D.)

Schlagel moved, Rogalski seconded, the approval of a temporary on-sale non-intoxicating beer license for the VFW Post #742 for the month of August, 1981 at the Lyon County Fair in the amount of \$15.00; and the approval of an off-sale non-intoxicating beer license in the amount of \$30.00. All voted in favor of the motion.

Berre moved, Schlagel seconded, the approval of a dance permit for the Circle Star Saddle Club for a dance to be held at the National Guard Armory on Friday, July 24, 1981 between the hours of 8 o'clock P.M. and 12 o'clock midnight. All voted in favor of the motion.

Hoffman moved, Berre seconded, the approval of a supplemental appropriation in the amount of \$1,000 from the contingency to the Park Maintenance and Development Account for the purchase of black dirt from the Marshall Industries Foundation for use at field # 3 and # 4 of the Softball Complex. All voted in favor of the motion.

A Council Personnel Committee meeting was held on July 14, 1981 to discuss cost of living adjustments to employee salaries bi-annually on September 1st and March 1st of each year, sick leave conversion, mileage allowance and business expense for department heads, increase in vacation for department heads in lieu of overtime or compensatory time and salary adjustments for several employees. Upon recommendation of the Personnel Committee, Hoffman moved, Berre seconded, the consumer price index, cost of living adjustment, to employee salaries bi-annually on September 1st and March 1st of each year be granted up to a maximum amount of 4% plus 50% of any amount in excess of 4% at each 6 month period to be effective March 1, 1982. Hoffman and Berre voted in favor of the motion. Ritter, Schlagel, Rogalski, Purrington and Hirmer voted no. The motion was defeated. The consumer price index, cost of living adjustment, to employee salaries bi-annually on September 1st and March 1st of each year will continue on a percent for percent basis.

Upon recommendation of the Personnel Committee, Hoffman moved, Berre seconded, no change be made in the sick leave conversion. Proposals were submitted to the Personnel Committee considering options of partial conversion of accrued sick leave at the time the employee was to retire or terminate his employment with the city. All voted in favor of the motion.

Additional information is being considered before a final recommendation will be made in regard to the mileage allowance and business expense for department heads.

Upon recommendation of the Personnel Committee, Hoffman moved, Berre seconded, there be no increase in vacation for department heads in lieu of overtime or compensatory time, but that a more lenient use of compensatory time be allowed once this time has been approved by the City Administrator. All voted in favor of the motion.

Upon recommendation of the Personnel Committee, Hoffman moved, Purrington seconded, no salary adjustment be given to Terry Lerach at this time. All voted in favor of the motion.

Upon recommendation of the Personnel Committee, Hoffman moved, Berre seconded, a salary adjustment be given to Ronald Carver, Airport Manager, effective January 1, 1982 from \$843 per month to \$900 per month. All voted in favor of the motion.

Upon recommendation of the Personnel Committee, Hoffman moved, Purrington seconded, a salary adjustment be approved for Douglas Goodmund, Park & Recreation and Community Education Program Supervisor, from \$1,088 per month to \$1,150.50 per month effective August 1, 1981. There was some concern about this position in regard to the original intention of this position, which was not to be a full time position, about the reclassification of the position from Program Supervisor to Assistant Director and the responsibilities of this position. All voted in favor of the motion, except Berre who voted no.

Hirmer moved, Schlagel seconded, the proper city officials be authorized to advertise for bids for Bituminous Seal Coat for the Marshall Municipal Airport existing runways, taxiways, aprons, parking areas and drives. The State of Minnesota will pay 2/3 of the cost of this project. As per agreement with the State of Minnesota, Department of Aeronautics, upon completion of the bituminous seal coat the state will repaint the runway markings. The city cost for these projects is included in the 1981 budget for the Marshall Municipal Airport Maintenance. Bids for this seal coat project are to be received on August 3, 1981. All voted in favor of the motion.

REGULAR MEETING - JULY 20, 1981 (CONT'D.)

Hirmer moved, Ritter seconded, approximately 50 to 75 parking meters which are unfixable be declared no longer needed for municipal purposes and be declared a surplus and available for sale. These meters are available for sale at a price of \$7.50 per meter from the City Clerk's Office. All voted in favor of the motion.

Schlagel moved, Rogalski seconded, the approval of a supplemental appropriation from General Fund Contingency to the Data Processing Account in the amount of \$45,000 for the purchase of computer hardware and software program for the City of Marshall. All voted in favor of the motion.

A brief discussion was held at this time on the modifications to the authorization for land acquisition within Zone A of the Marshall Municipal Airport. It was the general consensus of the council that appraisals be continued on the property within Zone A and that the committee meet to review the appraisals and discuss their position at that time.

Hirmer moved, Rogalski seconded, and it was unanimously approved that the following bills be approved for payment: GENERAL FUND, Voucher No. 71304 through 71391; WASTEWATER FACILITIES FUND, Voucher No. 2436 through 2450; SPECIAL ASSESSMENT FUND, Voucher No. 152 through 158; DEBT SERVICE FUND, Voucher No. 1568 through 1571; PARKING SYSTEM FUND, Voucher No. 2511 through 2515; REVENUE SHARING FUND, Voucher No. 204; LIQUOR FUND, Voucher No. 26774 through 26792.

The following building permits, mobile home permits and application to move buildings previously approved by the City Engineer were confirmed at this time:

James Risch
406 Elm Street
Riverside Add., Block 5, Lot 3
Demolish existing porch & build deck
\$120

Gary D. Becker
703 Fairview Street
Section 4, Part of NW¼
Equipment building, \$1,500

Emmet Bakke
614 Kathryn Avenue
Eatros Place - 3rd Add., Block 1,
Lot 7, Garage, \$2,000

D & G Excavating, Inc.
703 Fairview Street
Section 4, Part of NW¼
Move garage, \$0

Geske Building
207 James Avenue
Nielsen's 3rd Add., Block 2, Lot 4
Reside dwelling, \$2,164

SWesta Builders, Inc.
902 West College Drive
Section 5, Part of SE¼
Free standing sign, \$0

Steven G. Paxton
107 "E" Street
Ritchie Addition, Block 1, Lot 3
Addition to den & reside dwelling
\$7,500

D & G Excavating, Inc.
703 Fairview Street
Section 4, Part of NW¼
Move building out of town

Taylor's Inc.
Original Plat, Block 1, Lot 5
105 South First Street to 114 East
Main Street, Move Garage

Valley Homes Inc.
1261 Winchester Avenue
Camelot Square Mobile Home Park
Install mobile home

SWesta Builders, Inc.
326 West Main Street
Original Plat, Block 9, Lots 15 & 16
Meeting room & dormatory remodeling
\$44,000

Jeff Olson
446 West Main Street
Original Plat, Block 8, Lot 12
Attached sign, \$350

SWesta Builders Inc.
112 East Main Street
Original Plat, Block 1, Lot 6
Demolish garage, \$0

Richard Werner
111 D South First Street
Section 4, SW¼
Clerestory, \$400

Jeff Olson
510 Kendall Street
"A" Addition, Part of Lot 9
Deck & door, \$1,400

Bruce Olson Construction
1205 Westwood Drive
Westwood Acres # 1, Block 4, Lot 5
Dwelling, \$65,000

Kenneth LaVoie
205 DeSchepper Street
Outlot Glen, Lot 7
Utility building, \$250

REGULAR MEETING - JULY 20, 1981 (CONT'D.)

A transportation committee meeting was set for 12 o'clock noon on July 23, 1981 at Toni's to discuss the request for funding of the para-transit system for the calendar year 1982.

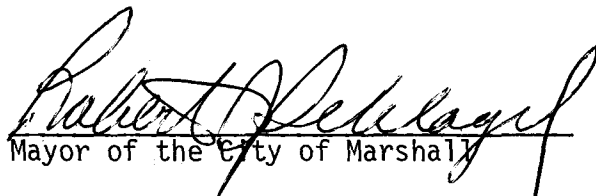
Hirmer moved, Schlagel seconded, BE IT RESOLVED THE COMMON COUNCIL of the City of Marshall is opposed to being designated as one of the sites for a hazardous waste processing facility. All voted in favor of the motion, except Ritter who voted no.

Councilperson Rogalski expressed a concern that the City Administrator discuss with the Hospital Administrator the possibility of the hospital audit being reviewed with the council.

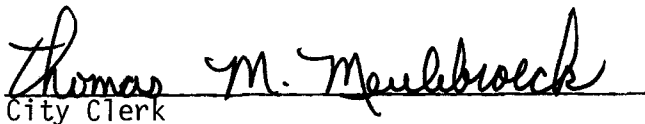
Berre moved, Schlagel seconded, the application for off-sale beer license from Ronald H. Christenson, DBA Champlin East, 1309 East College Drive, be placed on the agenda. All voted in favor of the motion.

Berre moved, Schlagel seconded, the approval of an off-sale beer license for Ronald H. Christenson, DBA Champlin East, 1309 East College Drive be approved for a fee of \$30.00. All voted in favor of the motion, except Purrington who voted no.

Upon motion made by Schlagel, seconded by Berre, the meeting was adjourned. All voted in favor of the motion.


Mayor of the City of Marshall

ATTEST:


City Clerk

REGULAR MEETING - AUGUST 3, 1981

The regular meeting of the Common Council of the City of Marshall was held on August 3, 1981. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the Mayor the following members were present: Purrington, Ritter, Hirmer, Hoffman, Rogalski and Berre. Absent: none.

Rogalski moved, Hirmer seconded, the approval of the minutes of the regular meeting of the Common Council held on July 20, 1981 as filed with each member. All voted in favor of the motion.

Bids were received, opened and read at this time for the Bituminous Seal Coat of all runways, taxiways, aprons, parking areas and drives at the Marshall Municipal Airport. The bids received, opened and read were from McLaughlin & Schulz, Inc., Marshall, Minnesota, \$9,401; and Hi-Way Surfacing, Marshall, Minnesota, \$10,309.50. The State of Minnesota will participate in the amount of 2/3 of the cost of this project. These bids were referred to the City Engineer to review.

Bids had been received on June 1, 1981 for the Bituminous Surfacing of the Alley in Block 3, Morningside Heights Addition, Project No. BS 1981B. Schlagel moved, Ritter seconded, the adoption of RESOLUTION NUMBER 495, SECOND SERIES and that the reading of the same be waived. Resolution Number 495, Second Series is a resolution awarding the bid for Bituminous Surfacing, Project No. BS 1981B to McLaughlin & Schulz, Inc., Marshall, Minnesota in the amount of \$1,743.25. All voted in favor of the motion.

Rogalski moved, Hirmer seconded, the motion made July 6, 1981 allowing the proper city officials to enter into a revised sanitation and reforestation agreement with the Minnesota Department of Agriculture for the 1981 Shade Tree Program be reconsidered to include in the agreement a change in the total estimated program cost to \$44,900. All voted in favor of the motion.

REGULAR MEETING - AUGUST 3, 1981 (CONT'D.)

Hirmer moved, Hoffman seconded, the proper city officials be authorized to enter into a revised sanitation and reforestation agreement with the Minnesota Department of Agriculture for the 1981 Shade Tree Program. This program is estimated to cost \$44,900. All voted in favor of the motion.

Rick Ekstein, State Communications Officer, and Sandy Peters and Bob Johnson from Northwestern Bell Telephone Company were in attendance at the meeting to discuss with the council and other members in attendance a proposed telephone system for the City of Marshall which is included in the telephone system established at Southwest State University. The proposed system has numerous features and capabilities that we do not have on our current system. It was the general consensus of the council that this proposed telephone system be considered and reviewed in more detail during the 1982 budget process.

Rogalski moved, Hirmer seconded, the proper city officials be authorized to execute an amendment to the agreement between the City of Marshall and the Minnesota Department of Transportation to extend the existing para-transit contract from September 1, 1981 through December 31, 1981. This amendment increased the Minnesota Department of Transportation share of the operating deficit from \$21,940 to \$22,940. All voted in favor of the motion.

Hoffman moved, Berre seconded, the proper city officials be authorized to make a \$200 contribution from the City of Marshall, Mayor & Council subscription and membership account to the Region E Drug Investigation Unit. It is the feeling of the city administrator that the services received from this drug investigation unit will exceed the \$200 contribution from the city. All voted in favor of the motion.

A discussion was held at this time on the Council Personnel Committee's July 28, 1981 recommendations which were: a consideration of proposals for monthly business expense and travel expense in lieu of salary; proposals for city contribution towards personnel auto expense; and a 10% salary adjustment for the city administrator. Upon the recommendation of the Personnel Committee, Berre moved, Ritter seconded, the city administrator and city engineer be paid up to \$75.00 per month in lieu of salary for business expense and the city assessor, director of public safety, park and recreation director and liquor store manager be paid up to \$50.00 per month in lieu of salary for business expense and that these same individuals be allowed to receive a monthly allowance for travel expense of between \$200 and \$250 per month in lieu of salary. These payments in lieu of salary are to be effective September 1, 1981. All voted in favor of the motion.

Upon the recommendation of the Personnel Committee, Hoffman moved, Berre seconded, the City of Marshall employees be encouraged to use motor pool vehicles for in town travel whenever available and encouraged to use their personnel vehicles for all out of town travel and all travel in town during which time city vehicles are not available and personnel vehicle use be subject to mileage reimbursement. All voted in favor of the motion.

Berre moved, Schlagel seconded, mileage reimbursement for the use of personnel vehicles be increased from 18¢ per mile to 20¢ per mile effective August 3, 1981. All voted in favor of the motion.

Upon recommendation of the Personnel Committee, Hoffman moved, Berre seconded, the city administrator be given a 10% increase in salary effective September 1, 1981. All voted in favor of the motion, except Hoffman who voted no.

Hoffman moved, Berre seconded, the city administrator and director of public safety be paid \$100 per month from the City of Marshall in lieu of present city costs for the use of their personnel vehicles. The city administrator and director of public safety are not to use city vehicles or to be paid additional funds for mileage reimbursement. The City of Marshall is to provide liability insurance coverage for the city administrator and director of public safety vehicles while there being used for city business. All voted in favor of the motion, except Rogalski who voted no.

A discussion was held at this time on the conversion of the ambulance system from Big Bob's Ambulance System to the City of Marshall Ambulance System. Hoffman moved, Hirmer seconded, the proper city officials be authorized to seek applicants for the position of ambulance coordinator for the transition period as well as the staffing patterns and selection and training of the necessary personnel. All voted in favor of the motion.

REGULAR MEETING - AUGUST 3, 1981 (CONT'D.)

Hirmer moved, Berre seconded, Monday, August 17, 1981 at 7:30 P.M. be the time and date set for the first public hearing on the 1982 General Revenue Sharing Funds. It is estimated that funds in the amount of approximately \$170,000 will be available. All voted in favor of the motion.

Berre moved, Hirmer seconded, the proper city officials be allowed to enter into an agreement with Short-Elliott-Hendrickson Inc., a Consulting Engineering Firm, to have traffic engineering studys and concept plans prepared for a bypass roadway between Trunk Highway No. 59 and Trunk Highway No. 23 on the North side of Marshall. All voted in favor of the motion.

Schlagel moved, Berre seconded, the adoption of RESOLUTION NUMBER 496, SECOND SERIES and that the reading of the same be waived. Resolution Number 496, Second Series is a resolution petitioning the Board of Commissioners of Lyon County to proceed with the necessary steps to establish a Redwood River Watershed District. All voted in favor of the motion.

Hirmer moved, Ritter seconded, and it was unanimously approved that the following bills be approved for payment: LIQUOR FUND, Voucher No. 26793 through 26817; WASTEWATER FACILITIES FUND, Voucher No. 2451 through 2468; SPECIAL ASSESSMENT FUND, Voucher No. 159 through 162; PARKING SYSTEM FUND, Voucher No. 2516 through 2524; GENERAL FUND, Voucher No. 71392 through 71622.

The following building permits and mobile home permits previously approved by the City Engineer were confirmed:

Lawrence Lien
408 Lawrence Street
Gray's Second Addition, Block 1, Lot 10
Solar panels (3), \$700

David Wilson
501 North Minnesota Street
Eastside Addition, Block 2, Lot 13
Reside dwelling, \$4,175

Ronald DeVries
108 Kathryn Avenue
Nielsen's 8th Addition, Block 1, Lot 4
Fireplace & Chimney, \$1,000

Ken Moehle
430 West Main Street
Original Plat, Block 8, Lot 16 and
NW $\frac{1}{2}$ of 17
Projecting sign, \$100

Chuck's Roofing
403 North Third Street
Auditors Plat 3, Part of Lot 6
Partial basement addition, \$2,000

Geske Building & Supply Co.
316 East Main Street
Railroad Addition, Part of Block 1
Reside dwelling, \$3,865

Marshall Independent
508 West Main Street
Original Plat, Block 7, Lot 7 - 19
Newsprint storage, \$600

Larry Nilges
508 Hudson Street
Northland Second Addition, Lot 4
Garage, \$6,500

Haugen Construction
507 Carlson Street
McFarland Second Add., Block 1, Lot 4
Dwelling-basement, framing & exterior
\$11,800

Dr. John Peterson, D.C.
430 West Main Street
Original Plat, Block 8, Lot 16 and
NW $\frac{1}{2}$ of 17
Attached sign, \$300

Edward Evans
121 East Redwood Street
Section 4, Part of SE $\frac{1}{4}$
Remodel basement room and repair
exterior of house, \$1,000

Warren Nikolaisen
102 Lilac Drive
Village Park
Move - in garage, \$1,700

Haugen Construction
502 Carlson Street
McFarland Second Addition
Block 1, Lot 12,
Dwelling - basement, framing & exterior
\$11,800

Haugen Construction
504 Carlson Street
McFarland Second Addition, Block 1, Lot 11
Dwelling-basement, framing & exterior
\$11,800

Haugen Construction
506 Carlson Street
McFarland Second Add., Block 1, Lot 10
Dwelling-basement, framing & exterior
\$11,800

Haugen Construction
504 Jewett Street
McFarland Second Add., Block 2, Lot 12
Dwelling-basement, framing & exterior
\$11,800

Haugen Construction
514 Carlson Street
McFarland Second Add., Block 1, Lot 6
Dwelling-basement, framing & exterior
\$11,800

REGULAR MEETING - AUGUST 3, 1981 (CONT'D.)

Don Sanow Construction
1408 Parkside Drive
McFarland Second Add., Block 2, Lot 14
Dwelling-basement, framing & exterior
\$7,200

Don Sanow Construction
600 Kossuth Street
Northland Addition, Block 1, Lot 13
Dwelling-basement, framing & exterior
\$11,400

Allen Bellecourt
504 Carlson Street
McFarland Second Add., Block 1, Lot 11
Finish dwelling, \$32,000

Gayden Wohlman
506 Carlson Street
McFarland Second Add., Block 1, Lot 10
Finish dwelling, \$32,000

Thomas Klumper
502 Carlson Street
McFarland Second Add., Block 1, Lot 12
Finish dwelling, \$32,000

Mitchell Hussong
514 Carlson Street
McFarland Second Add., Block 1, Lot 6
Finish dwelling, \$32,000

Patrick Maxwell
504 Jewett Street
McFarland Second Add., Block 2, Lot 12
Finish dwelling, \$32,000

Barry Swanson
507 Carlson Street
McFarland Second Add., Block 2, Lot 14
Finish dwelling, \$32,000

Marlo Moon
600 Kossuth Street
Northland Addition, Block 1, Lot 13
Finish dwelling, \$31,000

Jordy Beck
1408 Parkside Drive
McFarland Second Add., Block 2, Lot 14
Finish dwelling, \$19,400

Steve C. Halter
108 Lilac Drive, Village Park
Install mobile home

Bids were received, opened and read earlier during this meeting for the Bituminous Seal Coat for all runways, taxiways, aprons, parking areas and drives at the Marshall Municipal Airport. City Engineer, Duane Aden, reviewed the bids received and with no additions or corrections, Schlagel moved, Ritter seconded, the adoption of RESOLUTION NUMBER 497, SECOND SERIES and that the reading of the same be waived. Resolution Number 497, Second Series is a resolution awarding the bid for the Bituminous Seal Coat for all runways, taxiways, aprons, parking areas and drives at the Marshall Municipal Airport to McLaughlin & Schulz, Inc., Marshall, Minnesota in the amount of \$9,401 and authorizing the proper city officials to enter into an agreement with the State of Minnesota for their 2/3 share of the cost of this project. All voted in favor of the motion.

Upon request of Director of Public Safety, Garry Rick, Hoffman moved, Berre seconded, the position of Terry Lerach in relation of the implementation of the computer was place on the agenda. All voted in favor of the motion.

After considerable discussion, Hoffman moved, Schlagel seconded, Terry Lerach be hired as a temporary non-classified position effective August 10, 1981 at a salary of \$1,414 and to terminate December 31, 1981. With this position \$6,600 is to be transfered from the contingency to data processing salary account. This position is not eligible for any CPI increases or any other benefits provided by the City. This position will be reviewed during the 1982 budget process. All voted in favor of the motion.

It was the general consensus of the council that the city attorney draft an ordinance requiring individuals who are removing trees to provide a certificate of insurance and bond to the City of Marshall.

A special council meeting was set for August 10, 1981 at 7:30 P.M. to begin reviewing the 1982 budget.

A slide presentation was presented by Steve Jirik on the various operations of the police department which is being shown throughout the community.

Upon motion made by Berre, seconded by Schlagel, the meeting was adjourned. All voted in favor of the motion.

ATTEST: Thomas M. Meuleknecht
City Clerk

Robert P. Schlagel
Mayor of the City of Marshall

REGULAR MEETING - AUGUST 17, 1981

The regular meeting of the Common Council of the City of Marshall was held on August 17, 1981. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the mayor the following members were present: Purrington, Ritter, Hirmer, Hoffman, Rogalski and Berre. Absent: none.

Berre moved, Ritter seconded, the approval of the minutes of the regular meeting of the Common Council held on August 3, 1981 as filed with each member. All voted in favor of the motion.

A public hearing was held at this time on the Preliminary Plat for Prairieview Estates as requested by Nuese-Scotting Development. This area involves approximately 40 acres on the North side of East Lyon Street, South of Sunrise Park Addition, West of McFarland Second Addition and East of Parkside Addition. Upon recommendation of the Planning Commission, Hoffman moved, Hirmer seconded, the Preliminary Plat for Prairieview Estates be approved as presented. All voted in favor of the motion.

This was the time set for the first public hearing on the proposed uses of fiscal year 1982 General Revenue Sharing Funds. Mr. Paul Rehkamp on behalf of the Economic Development Committee of the Chamber of Commerce was requesting \$3,200. Mr. Duane Aden, City Engineer, requested and Mr. Jim Heller, City Administrator, recommended \$100,000 for street resurfacing and the reconditioning by application of bituminous overlay and bituminous seal coat; \$3,000 for televising of certain sanitary sewers for inspection purposed; \$1,500 for materials and labatory testing equipment for the Engineering Department; and \$1,000 for office furniture in the Engineering Department; \$8,000 for materials to install a storm sewer on McLaughlin Drive and on State Street Service Drive; \$7,000 for materials to replace existing 12" storm sewer on East Redwood Street; \$2,500 for materials for replacing existing catch basin casting with new casting at many locations throughout the city; and \$3,000 for televising of certain storm sewers for inspection purposes; and \$60,000 for the purchase of a snow blower for the Street Department.

Schlagel moved, Ritter seconded, the second public hearing on the proposed uses of fiscal year 1982 General Revenue Sharing Funds be set for September 21, 1981 at 7:30 P.M. All voted in favor of the motion.

Upon therecommendation of the Planning Commission, Hirmer moved, Purrington seconded, the introduction of an ordinance to rezone Prairieview Estates from R-A to R-1. All voted in favor of the motion.

Marlin Scotting and Mark Nuese from Nuese-Scotting Development were in attendance at the meeting to discuss with the council their request for a conditional use permit for 9 lots along Parkside Drive in Prairieview Estates Addition for 2-family dwellings. It was there feeling that with the current housing market that 2-family dwellings would better satisfy the needs of home owners. Mr. Robert Grong of 1208 Horizon Drive was concerned about the number of duplexes within this area and that if they allowed this amount of duplexes in this area they were setting a precedent and that they could possibly have other multiple family units in the area. He is also concerned about the density that was being created in this area. Jackie Ridlon, 1310 Horizon Drive, indicated her objection to the number of duplexes being requested for this area. Curt McCabe, 1305 Horizon Drive, was opposed to the duplexes in this area and suggested they all be placed in one location. A letter was received from William and Bernice Broughton of 1309 Horizon Drive expressing their opposition to duplexes within this area and requested that only single family dwellings be allowed in this area. A question was raised on the easements on these lots, which the city engineer indicated that he would request an easement equal to that of adjacent easements in other additions and that within the addition easements would be approximately 8' on each side of the lot line as required for utility purposes.

Upon recommendation of the Planning Commission, Hirmer moved, Hoffman seconded, that Nuese-Scotting Development be granted a conditional use permit for two family dwellings on 7 lots as recommended by the Planning Commission to the council in Prairieview Estates along Parkside Drive. All voted in favor of the motion, except Berre and Rogalski who voted no.

Upon recommendation of the Planning Commission, Hoffman moved, Schlagel seconded, the approval of a 1 year home occupation conditional use permit for home health services for Harriet Kaiser at 306 East Marshall Street. This home occupation would be to provide private nursing care in private homes, which would consist basically of a nursing care brokerage service. Mrs. Kaiser presented a letter she had received from her neighbor who approved this conditional use permit. All voted in favor of the motion.

REGULAR MEETING - AUGUST 17, 1981 (CONT'D.)

Upon recommendation of the Planning Commission, Schlagel moved, Berre seconded, the approval of a front yard variance adjustment permit to construct a bow window which would project into the front yard approximately 9" for Mr. Loren Arvidson at 608 Kathryn Avenue. All voted in favor of the motion.

Upon recommendation of the Planning Commission, Hirmer moved, Berre seconded, the approval of a front yard variance adjustment permit for David Sitzmann of 410 South Bruce Street to construct an attached garage. Mr. Sitzmann was in attendance at the meeting and presented drawings and pictures of the site. Mr. Sitzmann noted his is presently located 5' further from the street than others in the area due to an additional right-of-way and that the proposed garage would not obstruct the view to a degree anymore than an existing fence presently located on this property. All voted in favor of the motion.

Upon recommendation of the Planning Commission, Hirmer moved, Schlagel seconded, the approval of a variance adjustment permit for an additional 30 square feet to install a business sign on property owned by Leo DeVos at 128 West Main Street. All voted in favor of the motion.

Upon recommendation of the Planning Commission, Hirmer moved, Ritter seconded, the approval of a rear yard and front yard variance adjustment permit for parking lot facilities for the Assemblies of God Church at 123 East Main Street. This parking lot would have a gravel base and a pea rock surface with the intent to put an asphalt pavement on this lot in the future. It was also indicated that a chain link fence would be installed between the parking lot and the adjacent residential lot. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Berre moved, Hirmer seconded, a 1 year home occupation conditional use permit renewal to conduct a photo business be approved for Frank Stevens of 410 East Main Street. Mr. Stevens attended the Planning Commission meeting and indicated that it was his intent to sell this house and move the business to another location. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Rogalski moved, Ritter seconded, the approval of a height variance adjustment permit for GTA to construct a grain terminal at 701 North 7th Street. Mr. Wayne Gordon representative from GTA was in attendance at the meeting and presented a drawing of the terminal which is not to exceed a total height of 176'. The purpose of the installation of this terminal is to load unit trains for shipment. Mr. Gordon indicated he had received a letter from the FAA that approved the height of 176'. Mr. Gordon also indicated to the council that he anticipates a substantial increase in truck traffic to this location. All voted in favor of the motion.

Upon recommendation of the Planning Commission, Hoffman moved, Schlagel seconded, the introduction of an ordinance to rezone Lot 1, Block 1 of Nielsen's 9th Addition from R-A to R-2 as requested by Mr. Vincent Buysse. Mr. Buysse indicated it was his intention to build a 4-plex unit at this location. All voted in favor of the motion.

Upon recommendation of the Municipal Water, Light and Power Commission, Hoffman moved, Berre seconded, that the proper city officials be authorized to execute an agreement between the City of Marshall and the U.S. Department of Energy through the year 2000. All voted in favor of the motion.

Hoffman moved, Hirmer seconded, the proper city officials be authorized to advertise for bids for 200 trees for the 1981 Fall Tree Planting Program. These bids are to be received September 8, 1981 at 7:30 P.M. All voted in favor of the motion.

A discussion was held at this time on the LAWCOM State Planning Grant the City of Marshall had received to construct shelter facilities at Justice Park. Of this grant there is a remaining \$1,200 that has not been used. The City of Marshall is eligible to use this \$1,200 provided the City of Marshall matches the \$1,200 and provides an additional \$6,000 of in-kind service. It was the general feeling of the council that some of this money be used to install trees at Justice Park, to develop a softball field at Justice Park, and various other recreational items at Justice Park. Hirmer moved, Schlagel seconded, the proper city officials be authorized to include in the advertisement for bids for the 1981 Tree Planting Program trees to be planted at Justice Park and that the proper city officials be authorized to submit an amendment of LAWCOM State Planning Grant Agreement to the state and that a supplemental appropriation be made from contingency in the amount of \$1,200 to the park maintenance account. All voted in favor of the motion.

REGULAR MEETING - AUGUST 17, 1981 (CONT'D.)

A discussion was held at this time on the modifications to the Municipal Building to provide the installation of the Data Processing System. A letter was received from Robert Emanuelson, consulting engineer, estimating the ventilation work to increase the air on the current zone on the second floor to the area where the computer is to be located would be \$2,000, and that the electrical work would be approximately \$1,000. It was the general consensus of the council the proper city officials proceed with these modifications and that they be paid out of the general fund data processing account.

Schlagel moved, Ritter seconded, the approval of a supplemental appropriation from contingency to park maintenance and development account in the amount of \$650 to repair a transmission on the Toro tractor. All voted in favor of the motion.

Berre moved, Purrington seconded, the proper city officials be authorized to enter into an agreement with Gold, Carlson & Minehart to conduct a limited final audit on the Marshall Municipal Airport Construction Grant. The cost of this audit will not exceed \$1,500 per the agreement. All voted in favor of the motion.

Purrington moved, Hirmer seconded, the approval of a supplemental appropriation to the maintenance other account in the parking meter fund in the amount of \$14,565 to allow for the transfer to general fund for maintenance and snow removal reimbursement. All voted in favor of the motion.

Hirmer moved, Hoffman seconded, the proper city officials be authorized to enter into a Mutual Aid Agreement with the Lyon County Fire Department Mutual Aid Association. There is a \$10 membership fee to this association. All voted in favor of the motion.

Hoffman moved, Ritter seconded, the approval of a supplemental appropriation from contingency to City Engineer furniture and equipment, \$750; Street Department furniture and equipment, \$1,500; Police Department furniture and equipment, \$4,500; Bike Patrol furniture and equipment, \$1,500; and Ambulance System, \$750; to allow for the purchase of 12 portable radios at \$750 each from Motorola. All voted in favor of the motion.

Berre moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 498, SECOND SERIES and that the reading of the same be waived. Resolution Number 498, Second Series is a resolution establishing Municipal State Aid Highways. This resolution establishes Legion Field Road from Kendall Street to West Main Street as a Municipal State Highway. This resolution revokes Resolution Number 429, Second Series designating Channel Parkway from Highway 59 to North 7th Street as Municipal State Aid Highways. Channel Parkway was not approved as requested as a Municipal State Aid Highway, therefore Legion Field Road is being designated as a Municipal State Aid Highway. All voted in favor of the motion.

A discussion was held at this time on the possibility of a sidewalk along Bruce Street being included as a state aid project. The city engineer informed the council and other members in attendance at the meeting that this could be considered as part of a 5 year plan for future state aid projects.

Schlagel moved, Hirmer seconded, the next regular City Council meeting be held on Tuesday, September 8, 1981 at 7:30 P.M. because of Labor Day. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, and it was unanimously approved that the following bills be authorized for payment: SPECIAL ASSESSMENT FUND, Voucher No. 163 through 165; DEBT SERVICE FUND, Voucher No. 1572; LIQUOR FUND, Voucher No. 26818 through 26840; PARKING SYSTEM FUND, Voucher No. 2525 through 2528; GENERAL FUND, Voucher No. 71623 through 71814; WASTEWATER FACILITIES FUND, Voucher No. 2469 through 2493.

The following building permits previously approved by the City Engineer were confirmed:

A + Rentals
705 West Main Street
Section 4, Part of NW ¼
2 Free standing signs
\$0

Bill Wooten
305 West Lyon Street
Hoberts Addition, Block 2, Lot 2
Deck, remove patio door, install
bay window, \$5,000

REGULAR MEETING - AUGUST 17, 1981 (CONT'D.)

Loren Wiger
612 Southview Drive
Eatros Place, Block 4, Lot 22
Wood burning appliance
\$600

Babcock Construction
303 North Bruce Street
Ver-Marv Addition, Block 4, Lot 1
Reside dwelling, \$3,160

T & D Unlimited
205 South First Street
Blakes Addition, Block 7, Lot 3
Replace 11 windows, \$2,200

Jullo Kor
305 South 5th Street
"A" Addition, Block 4, Lot 6
Deck, \$300

Paul Ruppert
604 Peltier Street
Part of Gillett & Simmons Addition
Deck, \$100

Edwin A. Drury Jr.
1106 East Lyon Street
Nuese 2nd Addition, Block 1, Lot 1
Deck, \$400

Don Klein
107 Kathryn Avenue
Nielsen's 8th Addition, Block 2, Lot 5
Screened-in porch, \$3,000

Marshall Commodities
114 North Bruce Street
Section 3, Part of NW ¼
Free standing sign
\$0

Michael Boedigheimer
432 Legion Field Road
Legion Field Addition, Part of Lot 14
Free standing sign, \$0

Pizza Hut, Inc.
1404 East College Drive
McFarland Addition, Block 1, Lot 3
Storage room addition, ceiling & misc.
repair, \$5,000

Larry Miller
406 Elaine Avenue
5th Addition to Eatros Place,
Block 2, Lot 8
Deck, \$800

Councilperson Ritter raised a concern to the council and other members in attendance at the meeting the possibility of installing some type of lights at the intersection of East Main and "C" Street for pedestrian crossing, especially during the time that school is in session. City Engineer Duane Aden will investigate the possibility of some type of signal lights at this intersection.

Berre moved, Schlagel seconded, the consideration of a 1 month non-intoxicating on-sale beer license for the Marshall Softball Association be added to the agenda. All voted in favor of the motion.

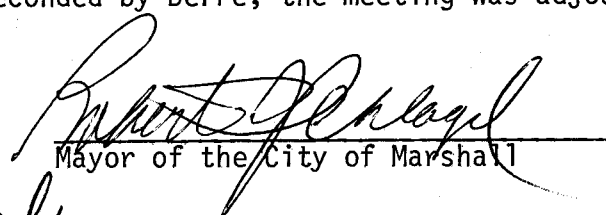
Hoffman moved, Schlagel seconded, a 1 month non-intoxicating on-sale beer license be approved for the Marshall Softball Association at a fee of \$10. All voted in favor of the motion.

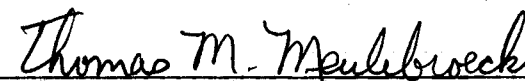
Councilperson Hoffman indicated that the Marshall Municipal Utilities has a used "cherry picker" bucket truck for sale and was wondering if the City of Marshall Street Department was interested in purchasing this piece of equipment. City Engineer Duane Aden will be investigating the possibility of purchasing this piece of equipment.

Councilperson Hoffman also questioned the status of purchasing the Albrecht property which is included in Zone A of the airport property. Mr. Heller, City Administrator, indicated to the council that the appriasal has been completed which is less than the property owner is requesting and that they will be meeting with the property owner on Friday, August 21, 1981 to discuss this property.

A question was also raised on the status of the Country Club Drive improvement. City Engineer Duane Aden informed the council that the plans have been revised, they have been approved by the District State Highway Engineer and have been forwarded to the State Department of Transportation for their approval

Upon motion made by Schlagel, seconded by Berre, the meeting was adjourned. All voted in favor of the motion.


Mayor of the City of Marshall

ATTEST: 
City Clerk

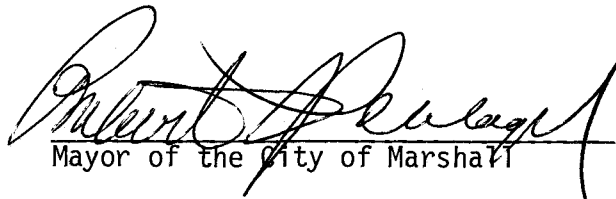
SPECIAL MEETING - AUGUST 31, 1981

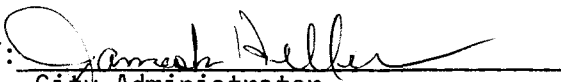
A special meeting of the Common Council of the City of Marshall was held on August 31, 1981. The meeting was called to order by Mayor Schlagel at 7:30 P.M. in the Council Chambers. In addition to the Mayor the following members were present: Hirmer, Hoffman, Purrington, Ritter, Berre and Rogalski. Absent: none.

Mayor Schlagel stated the purpose of this meeting was to continue review of the budget requests for FY 1982. The city administrator reviewed the various budget proposals with the members of the council and following considerable discussion Hoffman moved, Berre seconded, to place the Airport Budget and Land Acquisition on the agenda. All voted in favor of the motion.

Following additional discussion Hoffman moved, Berre seconded, that the City of Marshall withdraw its original offer for the Albrecht property and that the City would consider a written proposal. All voted in favor of the motion, except Schlagel and Hirmer who voted no.

Following additional discussion on the proposed FY 1982 budget it was moved and seconded that the meeting be adjourned. All voted in favor of the motion.


Mayor of the City of Marshall

ATTEST: 
City Administrator

REGULAR MEETING - SEPTEMBER 8, 1981

The regular meeting of the Common Council of the City of Marshall was held on September 8, 1981. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the Mayor the following members were present: Ritter, Purrington, Hirmer, Hoffman, Rogalski and Berre. Absent: none.

Berre moved, Hirmer seconded, the approval of the minutes of the regular meeting of the Common Council held on August 17, 1981 and the special meeting of the Common Council held on August 31, 1981 as filed with each member. All voted in favor of the motion.

Bids were received, opened and read at this time for the 1981 Tree Planting Program. The bids received, opened and read for the 1981 Tree Planting Program were from Bofferding's Flower Shop and Nursery, \$12,243; and Clark's Nursery, \$10,505.50.

Purrington moved, Ritter seconded, the adoption of ORDINANCE NUMBER 108, SECOND SERIES, and that the reading of the same be waived. Ordinance Number 108, Second Series is an ordinance rezoning Prairieview Estates from R-A to R-1 as requested by Nuese-Scotting Development Co. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, the adoption of ORDINANCE NUMBER 109, SECOND SERIES, and that the reading of the same be waived. Ordinance Number 109, Second Series is an ordinance rezoning Lot 1, Block 1, Nielsen's 9th Addition from R-A to R-2. All voted in favor of the motion.

A discussion was held at this time on the City of Marshall's intent to purchase the James Albrecht property (Parcel NO. 103) near the Marshall Municipal Airport. James and Judith Albrecht were in attendance at the meeting. Mr. Albrecht was concerned as to whether the City of Marshall was still interested in purchasing this parcel of property and as to who they talk to within the City of Marshall in regard to the purchasing of this property. Councilperson Purrington on behalf of the City Council and the City of Marshall indicated to the Albrechts the city is interested in proceeding with the possibility of purchasing the property. Brian Murphy, City Attorney, indicated to the council that other residents in this area have expressed their concern as to whether or not the city is interested in acquiring their property. It was the City Attorney's feeling that some type of procedure should be established by the City of Marshall as to its intent to acquire different parcels of property and to decide who is responsible for doing what and

REGULAR MEETING - SEPTEMBER 8, 1981 (CONT'D.)

when in the acquisition of these parcels of property. It was the general consensus of the council that they do not want to negotiate publicly the acquisitions of these parcels of property. Mr. Murphy offered to meet with the Albrechts to assist them in drafting a proposal for the Albrechts to submit an offer to the City of Marshall. Mrs. Albrecht was concerned as to when the appraisal would be done on the other properties in their area. It was the general feeling of the council that they hope the appraisals would be completed this fall. Hoffman moved, Schlagel seconded, the proper city officials on the committee to acquire the property within Zone A of the Airport be allowed to entertain an offer and to negotiate with the Albrechts the purchase of Parcel No. 103, subject to council approval, as was originally intended by the council. Voting in favor of the motion: Hoffman, Schlagel, Purrington and Ritter. Voting no were Hirmer, Berre and Rogalski.

Berre moved, Rogalski seconded, the application for a transient merchants license for Parkway Studios of McKees Rocks, Pennsylvania to conduct a photography and solicitation business be denied. After a brief discussion with the city attorney the motion and second were withdrawn. Hirmer moved, Purrington seconded, a transient merchants license be granted to Parkway Studios of McKees Rocks, Pennsylvania to conduct a photography solicitation business. Hirmer, Purrington, and Hoffman voted in favor of the motion. Rogalski, Berre, Schlagel and Ritter voted no. A transient merchants license was not granted. A number of complaints had been received by area residents who had purchased the inflation fighter booklet in which there was a coupon to have Parkway Studios take their picture. Parkway Studios was soliciting by telephone which requires a transient merchants license. The council authorized the proper city officials to inform Parkway Studios they were not allowed to take pictures after September 8, 1981 but could show the proofs of the portraits already taken and they were not allowed to solicitate nor to operate in the City of Marshall until they acquired a proper transient merchants license.

Schlagel moved, Hoffman seconded, the Southwest State University Student Association be granted a 3 month temporary non-intoxicating liquor license at a fee of \$45.00. All voted in favor of the motion.

Mr. Rick Merritt of the Southwest Sportsman Club was in attendance at the meeting to discuss with the council the possibility of either leasing or purchasing former Wastewater Lagoon #3 for use as a possible wildlife area. This land is currently being used for farm purposes. Mr. Merritt was directed to discuss the request with Lee Doering and Greg Cattoor of the Marshall Industries Foundation, who presently have an option to purchase the property.

Ms. Leeann Jorgensen was in attendance at the meeting to discuss with the council the Adult Basic Education-General Equivalency Degree Program. Berre moved, Schlagel seconded, the proper city officials be authorized to enter into a grant agreement with the State Department of Education for the Adult Basic Education-General Equivalency Degree Program for the year beginning July 1, 1981 and ending June 30, 1982. There is no direct cost to the City of Marshall for this program. All voted in favor of the motion.

Upon the recommendation of the Ways and Means Committee, Hirmer moved, Ritter seconded, that the red parking meters located at the intersections downtown be replaced with regular 1 hour meters and that the proper city personnel be authorized to removal all of the meters on both side of 5th Street between West Main and Lyon Street, all the meters on Lyon Street between 4th Street and 5th Street with the exclusion of those near Rehkamp's Funeral Home, the 8 meters on the North side of Lyon Street next to Lyon County Coop and also East past General Trading and 8 meters in front of the Methodist Church on the North side of Lyon Street. All voted in favor of the motion.

Berre moved, Ritter seconded, the approval of a supplemental appropriation in the amount of \$400 from the contingency account to the Street Department equipment account for the purchase of a chain saw. All voted in favor of the motion.

Upon request from the Board of the Lyon County Retirement Home, Hirmer moved, Berre seconded, the introduction of an ordinance amending certain sections of the City Code, Chapter 3 relating to wastewater service charge. This ordinance would exempt certain facilities which provide housing for elderly, are not multiple family complexes, and are publicly owned the monthly minimum rate per housing unit and be charged on actual water consumption. All voted in favor of the motion.

Mr. Duane Aden, City Engineer, informed the council that the State Aid Section of the Minnesota Department of Transportation has approved the revised plans and specifications for the Country Club Drive Project. The revised plan provides for

REGULAR MEETING - SEPTEMBER 8, 1981 (CONT'D.)

54' wide curb to curb section and a 14' center median which would provide for left turning movements. This plan also provides for a reduction of the street width on the approach to South 4th Street. Hoffman moved, Schlagel seconded, the proper city officials be authorized to advertise for bids to be received on October 19, 1981 at 7:30 P.M. for the Country Club Drive Project. All voted in favor of the motion.

Mr. Paul Knoblauch, Lyon County Commissioner, was in attendance at the meeting to discuss with the council the nomination of persons to represent the City of Marshall on the Board of Directors of the Redwood River Watershed District. Mr. Knoblauch informed the council that the individuals nominated for the Board of Directors must be property owners. It was the general consensus of the council members that they would each search for nominees and that the final selections would be made at the regular council meeting to be held on September 21, 1981.

The next item for consideration on the agenda was the authorization of the proper city officials to enter into a paying agent agreement between the City of Marshall and the First Trust Company of St. Paul for the \$255,000 General Obligation Improvement Bonds of 1981 and the \$310,000 General Obligation State Aid Street Bonds of 1981 and the adopting of a resolution authorizing the trust company to destroy obligations. Hoffman moved, Hirmer seconded, this item be referred to Springsted's Inc., Bond Consultants for them to respond why this was not discussed during the discussions on the bond sale, what are the costs involved and whether or not this request will apply to future bond issues. All voted aye.

Thomas Meulebroeck, Finance Director/City Clerk, discussed briefly with the council a resolution for record retention that he would like to see the City of Marshall adopt to have some system for retaining and destroying records.

Hoffman moved, Rogalski seconded, the bid for the 1981 Fall Tree Planting Program be awarded to Clark's Nursery in the amount of \$10,505.50. All voted in favor of the motion.

Hoffman moved, Hirmer seconded, that property owners wishing to purchase trees for the 1981 Fall Tree Planting Program be assessed \$18.00 per tree. All voted in favor of the motion.

Hirmer moved, Berre seconded, and it was unanimously approved that the following bills be authorized for payment: GENERAL FUND, Voucher No. 71815 through 71988; WASTEWATER FACILITIES FUND, Voucher No. 2494 through 2527; PARKING SYSTEM FUND, Voucher NO. 2529 through 2535; DEBT SERVICE FUND, Voucher No. 1573 through 1574; REVENUE SHARING FUND, Voucher No. 205; SPECIAL ASSESSMENT FUND, Voucher No. 166 through 170; LIQUOR FUND, Voucher No. 26841 through 26879.

The following building permits and mobile home permits previously approved by the City Engineer were confirmed:

Earthfast Habitats
608 Kathryn Avenue
Eatros Place, 3rd Add., Block 1, Lot 10
Brick veneer, door replacement, bow window, \$2,500

G.T.A.
701 North 7th St.
Section 33, SW $\frac{1}{4}$
Grain terminal
\$600,000

Robert Nichols
1302 Westwood Drive
Westwood Acres II, Block 2, Lot 12
Dwelling, \$58,000

Slagel & Wambeke Inc.
305 West College Drive
Blakes Add., Part of Block 8
Loading Dock Enclosure, \$8,200

Frank Karolczak
618 Kendall Street
J. D. Eastmans, Part of Lot 1
Siding, \$600

True Value Home Center
108 Thomas Avenue
Nielsen's 8th Add., Block 2, Lot 13
Dwelling, \$36,000

John G. Steinle
710 Oak Street
Fre-Mar 2nd Add., Block 3, Lot 17
Garage, \$7,000

Robert Grupe
401 Country Club Drive
Section 9, Part of NW $\frac{1}{4}$
Temporary changeable free standing sign, \$0

Slagel & Wambeke Inc.
425 North 6th Street
Eastman's Add., Block 3, Lot 5
Garage, \$6,000

Slagel & Wambeke Inc.
202 North 4th Street
Original Plat, Block 15, Lot 6
Restroom remodeling, \$2,200

REGULAR MEETING - SEPTEMBER 8, 1981 (CONT'D.)

Slagel & Wambeke Inc.
400 Charles Avenue
Morningside Heights Add., Block 5, Lot 1
Addition to garage, \$4,500

A & D Midwest Builders
1409 Carlson Street
McFarland 2nd Add., Block 2, Lot 8
Dwelling, \$38,500

Donald Larsen
513 Kendall Street
Howards Add., E'ly half of 5
Chimney, \$200

Randall Stauffer
102 George Street
Nielsen's 6th Add., Block 1, Lot 2
Family room, \$9,000

Don Kleim
813 Nuese Lane
Nuese 2nd Add., Block 3, Lot 7
Dwelling, \$45,000

Dulas Consutruction
1212 East College Drive
Section 3, Part of SW¼
2 Free standing signs
\$0

Paxton Signs
1422 East College Drive
McFarland Add., Block 2, Lot 1
Free standing sign, \$0

Don Moeller
118 Spruce Lane
Village Park Mobile Home Park
Install mobile home

Leo DeVos
128 West Main Street
Original Plat, Block 11, Lot 6 - 9
Flat wall sign, \$75

Darv Ekness
448 West Main Street
Original Plat, Block 8, Lot 10 & 11
Attached sign, \$50

Schwan's Sales Enterprises
115 West College Drive
Blakes Add., Block 2
Remodeling printing office, \$7,500

George Jacob
707 North 5th Street
Fre-Mar Add., Block 2, Lot 4
Deck, \$800

Mark A. Henkelman
701 Elaine Avenue
Eatros 7th Add., Block 2, Lot 1
Garage, steps and back deck, \$3,500

SWesta Builders, Inc.
501 West Main Street
Original Plat, Block 6, Lot 1 - 4
Remodeling, \$8,150

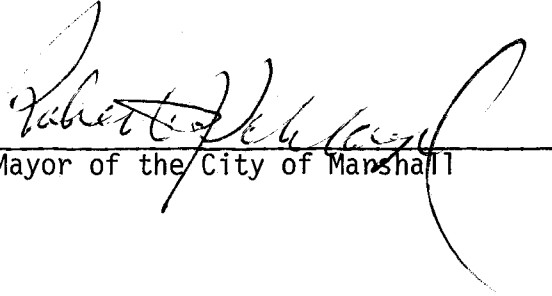
Gerald Kangas
1259 Avalon
Camelot Square Mobile Park
Install Mobile Home

Mark Catlin
527 Locust Street
Village Park Mobile Home Park
Install mobile home

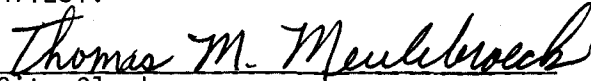
A discussion was held at this time on the location where the new street lights are to be installed along West College Drive from Depot Street to the intersection of West College Drive and South 2nd Street. It was the general consensus of the council that Duane Aden, City Engineer and Len Yonkers from the Marshall Municipal Utilities discuss with the property owners in this area the location of the new street lights.

Berre moved, Schlagel seconded, the minutes of the regular meeting of the Common Council held on August 17, 1981 be approved as corrected and as filed with each member.

Upon motion made by Schlagel, seconded by Hirmer, the meeting was adjourned. All voted aye.


Mayor of the City of Marshall

ATTEST:


City Clerk

SPECIAL MEETING - SEPTEMBER 17, 1981

A special meeting of the Common Council of the City of Marshall was held on September 17, 1981. The meeting was called to order by Mayor Schlagel at 12:00 noon at Toni's Pizza. In addition to the Mayor the following members were present: Berre, Hoffman, Hirmer, Purrington, Ritter and Rogalski. Absent: none.

Mayor Schlagel stated the purpose of this meeting was to discuss the procedures, guidelines and negotiations concerning the possible acquisition of certain properties located within the boundaries of the Zone A areas of the Municipal Airport.

Following discussion, Hoffman moved, Purrington seconded, for the City of Marshall to accept the proposal of James and Judy Albrecht for the City to purchase their property located on West College Drive for the appraised value of \$47,500 and partial relocation benefits of \$2,500 and on the conditions that the closing and final payment will be made and the premises vacated no later than November 1, 1981, and that final payment was subject to the prior approval of the Minnesota Department of Transportation as to all costs, procedures and conditions in terms of sale. All voted in favor of the motion, except Berre and Hirmer who voted no.

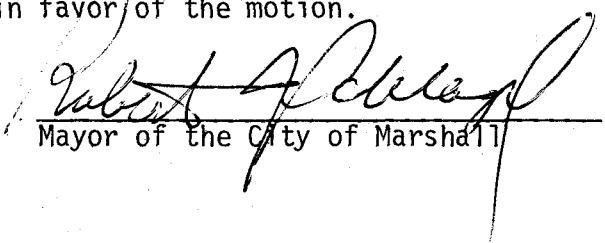
Following discussion, Hoffman moved, Purrington seconded, that if the sale is approved by the Minnesota Department of Transportation and the property is acquired by the City of Marshall, that the proper city officials be authorized to sell or dispose of the structures on the property as provided by law. All voted in favor of the motion, except Berre and Hirmer who voted no.

Discussion continued concerning additional properties, the methods and conditions for additional negotiations and what is the City's position in regards to possible future additional acquisition of Zone A property. Hoffman stated that the committee should proceed with the negotiations within certain guidelines and subject to State approval of certain actions including State approval of the purchase of the Albrecht property. City Attorney Brian Murphy suggested that no action towards further negotiations should occur at this time until completion of the Albrecht settlement and that then future negotiations would be approached one property at a time and that such negotiations should be concerned only with those properties affected by the Southeast approach to the Airport. Hirmer stated his opposition to proceeding with any additional acquisition until additional information is acquired concerning total costs and the extent of the impact upon the financial condition of the City of Marshall.

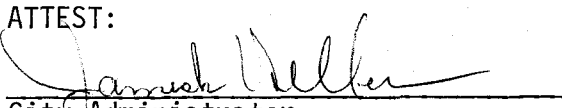
Purrington moved, Schlagel seconded, to direct the committee to proceed with additional negotiations following final State approval of the Albrecht property. All voted in favor of the motion, except Berre and Hirmer who voted no.

Mayor Schlagel appointed the City Administrator and the City Attorney as the negotiating committee.

There being no further business to discuss, Hirmer moved, Berre seconded, that the meeting be adjourned. All voted in favor of the motion.


Mayor of the City of Marshall

ATTEST:


City Administrator

REGULAR MEETING - SEPTEMBER 21, 1981

The regular meeting of the Common Council of the City of Marshall was held on September 21, 1981. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the mayor the following members were present: Ritter, Purrington, Hirmer, Hoffman, Rogalski and Berre. Absent: none.

Hoffman moved, Schlagel seconded, the approval of the minutes of the regular meeting of the Common Council held on September 8, 1981 and the special meeting of the Common Council held on September 17, 1981 as filed with each member. All voted in favor of the motion.

The second public hearing was held at this time for the uses of the 1982 General Revenue Sharing Funds. Ms. Gara Swenson from the Southwest Women's Shelter was in attendance at the meeting to make a request of \$5,500 for the Women's Shelter for energy improvements to their house and playground equipment. Ms. Swenson informed the council that if the Women's Shelter was ever to discontinue the City would receive back whatever they have invested in this program plus a percentage of the profit if there were any.

Hoffman moved, Hirmer seconded, the adoption of ORDINANCE NUMBER 110, SECOND SERIES and that the reading of the same be waived. Ordinance Number 110, Second Series is an ordinance amending certain sections of the City Code Chapter 3 relating to wastewater service charge. This ordinance would exempt certain facilities which provide housing for elderly, are not multiple family complexes and are publicly owned, from the monthly minimum rate for each housing unit and be charged on actual water consumption. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Hoffman moved, Hirmer seconded, a conditional use permit be granted for Mr. Clarence Simonsen for 300 Walnut Street to classify a nonconforming two family dwelling as a conforming unit. This request would allow Mr. Simonsen to do improvements to the entry way to one of the two units which would not be permitted while the property is classified as a nonconforming use. All voted in favor of the motion.

Hirmer moved, Hoffman seconded, the approval of a transient merchants license for T. C. Leather Corporation to sell waterbeds and accessories at the Marshall Inn. This license will be issued upon receipt of the \$200 fee and the proper bond. Hirmer, Hoffman, Purrington and Ritter voted in favor of the motion. Rogalski, Berre and Schlagel voted no.

Mr. Ron Jensen, Administrator of Weiner Memorial Medical Center, was in attendance at the meeting to discuss with the council the recommendations of the Hospital Board for the award of bids for the group insurance coverage for the employees of the Weiner Memorial Hospital. Upon recommendation of the Hospital Board, Hoffman moved, Berre seconded, the proper officials on the Hospital Board be authorized to approve the employees group insurance coverage for the employees of the Weiner Memorial Hospital as follows: health insurance with Blue Cross and Blue Shield in which the hospital will pay 50% of the premium; life insurance with American United Life Insurance Company which the hospital will pay 100% of the premium; dental insurance with Equitable Life in which the hospital will pay the employees premium and the employee will purchase dependant coverage if desired. All voted in favor of the motion.

Schlagel moved, Hirmer seconded, the annual bingo license for the VFW, Eagles Club and Holy Redeemer Church be renewed. Hirmer moved, Purrington seconded, the motion be amended to approved the renewal of the annual bingo license for the VFW, Eagles Club and Holy Redeemer Church upon receipt of the proper financial reports from these organizations. All voted in favor of the amendment. All voted in favor of the motion as amended.

Hirmer moved, Purrington seconded, BE IT RESOLVED that the proper city officials be authorized to sign an agreement with the State of Minnesota for State Aid for maintenance and operation of the Marshall Municipal Airport during all seasons of the year up to June 30, 1983. The state will pay up to 66 2/3% of the cost not to exceed \$15,000 per fiscal year as specified in the agreement. All voted aye.

Upon request of Nuese-Scotting Development Co., Purrington moved, Berre seconded, the adoption of RESOLUTION NUMBER 499, SECOND SERIES and that the reading of the same be waived. Resolution Number 499, Second Series is a resolution approving the final plat for the Northerly 9.1 acres of Prairieview Estates Addition. All voted in favor of the motion.

REGULAR MEETING - SEPTEMBER 21, 1981 (CONT'D.)

Hirmer moved, Ritter seconded, the proper city officials be authorized to enter into an agreement with Short-Elliott-Hendrickson, Consulting Engineers, to design a traffic signal at the intersection of South 4th Street and Country Club Drive. The estimated cost of the professional services required to prepare plans, specifications and cost estimates for the traffic signal at the intersection of South 4th Street and Country Club Drive is \$4,100. All voted in favor of the motion.

A discussion was held at this time on the 1982 budget for the City of Marshall. This discussion included the adding to the 1982 budget the 1981 city cost of improvements; improving the telephone system; a temporary position within the Police Department; the status of the computer; and the acquisition of property in Zone "A" for the Airport. Hirmer moved, Purrington seconded, a reserve be established on the general fund effective January 1, 1982 in the amount of \$250,000 for the acquisition of airport property within Zone "A". The rent for the airport land received by the city is to be added to this reserve when received. All voted in favor of the motion, except Hirmer who voted no and Berre who abstained.

Rogalski moved, Schlagel seconded, the 1982 budget for the Police Department be approved as presented in the amount of \$469,316. After some discussion on this budget the motion and second were withdrawn. Rogalski moved, Schlagel seconded, the temporary position previously established within the Police Department be included in the 1982 budget and be funded at a cost of approximately \$22,364 to allow the Police Department to have 16 full time police officers. Schlagel and Rogalski voted in favor of the motion. Hirmer, Ritter, Purrington, Berre and Hoffman voted no. The temporary position of the Police Department is to be terminated 12-31-81 and the Police Department reduced to 15 full time police officers.

Hoffman moved, Berre seconded, \$43,529 be included in the 1982 budget for the 1981 city costs of improvements in the area of the proposed park. All voted in favor of the motion.

Ritter moved, Berre seconded, \$60,000 be deleted from the Airport Capital Expenditure 1982 budget and that \$5,000 be added for the Airport Maintenance Account for the Administrative Building remodeling. All voted in favor of the motion.

Hoffman moved, Schlagel seconded, \$40,000 be included in the 1982 budget for the Municipal Liquor Store expansion. All voted in favor of the motion.

Berre moved, Ritter seconded, Project Mainstay's request of \$2,516 and Southwest Women's Shelter request of \$5,500 be approved uses of General Revenue Sharing Funds of 1982. Berre, Ritter, Schlagel, Rogalski and Purrington voted in favor of the motion. Hirmer and Hoffman voted no.

Purrington moved, Berre seconded, \$10,000 of the 1982 General Revenue Sharing Funds be approved for the Dutch Elm Disease Program. All voted in favor of the motion.

Hirmer moved, Purrington seconded, the following requests for 1982 General Revenue Sharing Funds be approved: Economic Development, \$3,200; City of Marshall Engineering Department, materials, lab testing equipment, \$1,500; City of Marshall Engineering Department, office furniture, \$1,000; Storm Sewer Project, \$17,500; Televising Storm and Sanitary Sewers, \$6,000; Bituminous Overlay and Seal Coat, \$100,000. All voted in favor of the motion, except Hoffman, Rogalski and Berre who voted no.

Purrington moved, Hirmer seconded, the previous motion to allow \$100,000 of the 1982 General Revenue Sharing Funds to be allocated for Bituminous Overlay and Seal Coat be reconsidered. All voted in favor of the motion.

Purrington moved, Hirmer seconded, \$88,000 of 1982 General Revenue Sharing Funds be allocated for the application of Bituminous Overlay and Seal Coat to bring the total 1982 General Revenue Sharing Budget to \$135,216. Schlagel, Ritter, Hirmer and Purrington voted in favor of the motion. Hoffman, Berre and Rogalski voted no.

Hirmer moved, Hoffman seconded, the adoption of RESOLUTION NUMBER 500, SECOND SERIES and that the reading of the same be waived. Resolution Number 500, Second Series is a resolution adopting the tax levy payable with the 1981 taxes with a special levy of \$284,384 with a general revenue levy of \$725,812 for a total levy of \$1,010,196. All voted in favor of the motion.

Ms. Tauna Strohkirsch from Corporate Risk Managers, Inc., was in attendance at the meeting to discuss with the council the renewal cost of the City of Marshall's

REGULAR MEETING - SEPTEMBER 21, 1981 (CONT'D.)

property, inland marine, general liability, crime, auto, airport, boiler and machinery, public officials liability, liquor liability, and umbrella insurance coverages. It is estimated that the premium for these insurances for the City of Marshall and the Marshall Municipal Utilities for the period October 1, 1981 through September 30, 1982 will cost approximately \$93,029. Hoffman moved, Hirmer seconded, to approve the renewal of the insurance coverage with Western State Agency for property and general liability insurance; with Arkwright-Boston Insurance Company for boiler and machine insurance; and Fred F. James and Company for liquor liability for the total estimated insurance coverage for October 1, 1981 through September 30, 1982 to be approximately \$93,029. All voted in favor of the motion.

Hoffman moved, Berre seconded, the approval of the renewal of the workmen's compensation insurance for the period October 1, 1981 through September 30, 1982 with EMCASCO in which Millard Ehlers is the insurance agency. All voted in favor of the motion, except Rogalski who voted no.

City Attorney Brian Murphy informed Ms. Strohkrich that in the future the city attorney as well as the city council members would like to receive the necessary information in which the council is requested to take action on, on a more timely basis for them to review before they are to make a decision. Mr. Murphy also indicated to her that they would like to have a plan of action as to what is going to be happening when in regard to the insurance coverage for the City of Marshall.

Hirmer moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 501, SECOND SERIES and that the reading of the same be waived. Resolution Number 501, Second Series is a resolution adopting the record retention schedule for the City of Marshall. All voted in favor of the motion.

Berre moved, Hirmer seconded, the approval of a supplemental appropriation from contingency in the amount of \$425 to the municipal building general supplies account to allow for the purchase of fire extinguishers to replace the existing old fire extinguishers within the municipal building. All voted in favor of the motion.

A discussion was held at this time on the possible nominations for the Board of Directors for the Redwood River Watershed District. Curt Kaiser was mentioned as a nominee for this position. There was some concern mentioned by the council members in regard to the City of Marshall's support of this program. Jim Heller, City Administrator, indicated to the council the reason the City of Marshall is participating in this Redwood River Watershed District is due to the request from the Commissioners of Lyon County and that in order for this district to proceed and be successful it needs the cooperation of the city as well as the county.

Schlagel moved, Berre seconded, to allow the Office of the City Clerk to appoint judges for the upcoming General Election from the list of names received from the County Auditor. All voted aye.

Upon request from the Presbyterian Church, Berre moved, Schlagel seconded, 4 parking meters be reinstalled on Lyon Street adjacent to the Presbyterian Church. All voted in favor of the motion.

Sharon Peterson of 440 West Main was in attendance at the meeting and addressed the council with the problem of available parking for tenants at this location. Schlagel informed her that the problem would be investigated and she would be notified of any decisions made.

Hirmer moved, Purrington seconded, and it was unanimously approved that the following bills be authorized for payment: LIQUOR FUND, Voucher No. 26880 through 26903; WASTEWATER FACILITIES FUND, Voucher No. 2528 through 2540; SPECIAL ASSESSMENTS FUND, Voucher No. 171 through 172; DEBT SERVICE FUND, Voucher No. 1575 through 1576; PARKING SYSTEM FUND, Voucher No. 2536 through 2542; GENERAL FUND, Voucher No. 71989 through 72061.

The following building permits previously approved by the City Engineer were confirmed:

James M. Marcotte
401 Woodland Way
Parkside Addition, Block 2, Lot 7
Dwelling, \$76,000

A. L. Struthers
122 North 3rd St.
Original Plat, Block 10, Part of Lot 4 & 5
Signs, \$200

Arnold L. Thomsen
412 North 3rd St.
Auditors Plat 3, Lot 21
Reside residence, \$700

Steve Kruger
1425 East College Drive
Frank J. McLaughlins Subdivision, Lot 16-22
Meeting Room, \$5,000

REGULAR MEETING - SEPTEMBER 21, 1981 (CONT'D.)

Betty Lockwood
200 Carrow Street
Sunrise Park Addition, Block 1, Lot 1
Siding & replace 2 windows, \$3,400

SWesta Builders Inc.
801 West Main Street
Section 5, NE $\frac{1}{4}$
Remodeling, \$15,000

Darriel Boerboom
1000 South 1st Street
Nielsen's Eighth Addition, Block 2, Lot 8
Fireplace & Chimney, \$800

Norman Carstensen
305 Jean Avenue
Section 4, SE $\frac{1}{4}$
Addition to garage, \$1,300

Adrian Hebig Sr.
1320 Horizon Drive
Sunrise Park Addition, Block 6, Lot 11
Garage, \$2,000

Bromen Office Supply
240 West Main Street
Original Plat, Block 10, Lot 10
Flat wall sign, \$1,000

Hirmer moved, Purrington seconded, the adoption of RESOLUTION NUMBER 502, SECOND SERIES and that the reading of the same be waived. Resolution Number 502, Second Series is a resolution adopting the budget for the calendar year 1982 showing estimated revenues and expenditures of \$6,314,564. All voted in favor of the motion.

Hoffman moved, Ritter seconded, the approval of a transient merchants license for Photo Corporation of American from Minneapolis, Minnesota for a photography business at Shopko, Alco and Woolworths be placed on the agenda. All voted aye.

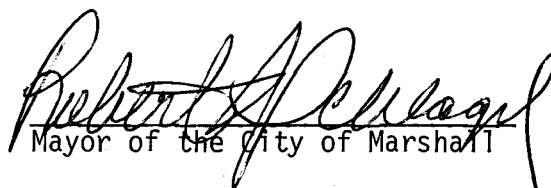
Hoffman moved, Hirmer seconded, a transient merchants license be granted to Photo Corporation of America from Minneapolis, Minnesota to do photography business at Shopko, Alco and Woolworths. This license will be granted upon receipt of the \$200 fee and the meeting of the bond requirement. Ritter, Hirmer, Hoffman and Purrington voted in favor of the motion. Berre, Schlgel and Rogalski voted no.

City Attorney Brian Murphy discussed briefly with the council a possible charter revision which is allowed by State Statutes for the title and a brief summary of ordinances to be published.

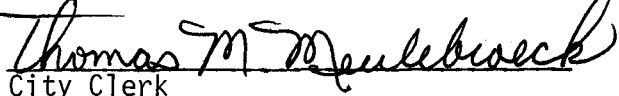
Councilperson Rogalski expressed a concern to the council in regard to the traffic congestion at the intersection of "E" Street and Main Street. City Engineer Duane Aden indicated to the council that he would check into this intersection and see what alternatives are possible.

Councilperson Berre requested the proper city officials direct a letter to Reading & Bates thanking them for their contribution to the City of Marshall and their cooperation with the Marshall Police Department.

Upon motion made by Schlage1, seconded by Berre, the meeting was adjourned. All voted aye.


Mayor of the City of Marshall

ATTEST:


City Clerk

REGULAR MEETING - OCTOBER 5, 1981

The regular meeting of the Common Council of the City of Marshall was held on October 5, 1981. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the Mayor the following members were present: Purrington, Ritter, Hirmer, Hoffman, Rogalski and Berre. Absent: none.

Berre moved, Hirmer seconded, the approval of the minutes of the regular meeting of the Common Council held on September 21, 1981 as filed with each member. All voted in favor of the motion.

A discussion was held at this time on the conversion of the ambulance system from a privately owned operation to a municipal operation. City Administrator Jim Heller indicated to the council that he along with Director of Public Safety Garry Rick and Dr. William Wagner from the Weiner Memorial Medical Center had reviewed the top 4 applicants and it was their recommendation to hire Thomas Ross who is currently working at St. Mary's Hospital in Rochester at a salary of \$1,700 per month with no step increases but would be eligible for the CPI cost of living increases and other fringe benefits. The City Administrator stated that the City of Marshall should be able to take over the system by January 1, 1982. There is a number of questions unanswered in regard to where the equipment would be purchased from, the number of personnel needed, the hours and responsibilities of the person hired, and where the equipment and individual would be operating from. Hoffman moved, Ritter seconded, the proper city officials be authorized to create, fund and hire an individual for the ambulance coordinator position anytime after October 15, 1981 and prior to November 15, 1981. This position is to be a non-classified position within the City of Marshall pay plan. All voted in favor of the motion.

Councilperson Hoffman indicated to the council that Dick Kontz had offered to be a nominee for the Board of Directors of the Redwood River Watershed District. It was the general consensus of the council that Dick Kontz and Curt Kaiser be the City of Marshall nominees for the Board of Directors for the Redwood River Watershed District.

Upon the recommendation of the Finance Director, Berre moved, Schlagel seconded, the proper city officials be authorized to enter into a paying agent agreement between the City of Marshall and The First Trust Company of St. Paul for the \$255,000 General Obligation Improvement Bonds of 1981 and the \$310,000 General Obligation State Aid Street Bonds of 1981. Section C on page 1 of the agreement allows for the trust company to destroy the obligations. The destroying of the obligations has not been discussed with the council by the bond counsel and does involve some cost to the city, therefore it was the general consensus of the council that the trust company not be allowed to destroy obligations at this time but with future bond issues this item be addressed during the discussion of the bonds. All voted in favor of the motion, except Hirmer who voted no.

Hoffman moved, Hirmer seconded, the approval of a transient merchants license for Kinderfoto Incorporated to take photographs at the J. C. Penney store in the Marshall Square. Hoffman, Purrington, Hirmer and Ritter voted in favor of the motion. Rogalski, Berre and Schlagel voted no.

Schlagel moved, Berre seconded, the salary of the school crossing guards be increased from \$9.00 per day to \$11.00 per day effective January 1, 1982. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, the approval of a supplemental appropriation from the contingency to the Police Department Account No. 4110.111 in the amount of \$2,000 to provide for police contract services for outside agencies and organizations and to approve a transfer from Police Department 4110.110 to 4110.321 in the amount of \$3,300 which provides for in-house training of members of the police department. All voted in favor of the motion.

Hirmer moved, Ritter seconded, the adoption of RESOLUTION NUMBER 503, SECOND SERIES and that the reading of the same be waived. Resolution Number 503, Second Series is a resolution outlining project construction on our Municipal State Aid Street systems during the next 5 years. All voted in favor of the motion.

Hirmer moved, Rogalski seconded, the approval of change order no. 1 for the Sanitary Sewer Project, Project No. SAS 1981A. During the installation of this sanitary sewer a 2 foot error was made in the depth of the installation. This change order provides for the reconstruction of approximately 900 feet of 12" existing sanitary sewer by replacing it with 15" diameter sanitary sewer at a flatter grade along Legion Field Road, which would allow the contractor to not have to remove approximately 400 feet of the sanitary sewer project SAS 1981A that is not at the required elevation. All voted in favor of the motion.

REGULAR MEETING - OCTOBER 5, 1981 (CONT'D.)

Hoffman moved, Hirmer seconded, the approval of a supplemental appropriation from the contingency to the Library Maintenance Account in the amount of \$1,300. This appropriation is for repairs to the roof at Marshall Lyon County Library. All voted in favor of the motion.

Hirmer moved, Ritter seconded, the proper city officials be authorized to advertise for bids to be received at 7:30 P.M. on November 2, 1981 for a snow blower for the street department. This item is included in the 1982 budget and is to be paid for in 1982. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, that the following bills be authorized for payment. Berre moved, Purrington seconded, the motion be amended to not approve the payment to Southwest Regional Development Commission in the amount of \$3,000. This payment was the second of 3 payments to be made to the Southwest Regional Development Commission for their work on the comprehensive plan for the City of Marshall. All voted in favor of the amendment, except Hirmer. All voted in favor of the motion as amended. GENERAL FUND, Voucher No. 72062 through 72166; LIQUOR FUND, Voucher No. 26904 through 26939; PARKING SYSTEM FUND, Voucher No. 2543 through 2549; SPECIAL ASSESSMENT FUND, Voucher No. 173 through 174; REVENUE SHARING FUND, Voucher No. 206; WASTEWATER FACILITIES FUND, Voucher No. 2541 through 2567.

The following building permits previously approved by the City Engineer were confirmed:

David L. Sitzman
410 South Bruce Street
VanUdens Addition, Block 1, Lot 9
Garage, \$5,000

Clarence Simonsen
300 Walnut Street
Riverside Add., Block 8, Lot 8
Entry, \$6,017

Bisbee Plumbing & Heating
604 North Highway # 59
Section 33, SW $\frac{1}{4}$
Flat Sign, \$50

Charles Lehman & Susan Skramstad
200 East College Drive
Original Plat, Block 13, Lot 6
Remodel Office, \$10,000

Gary Quist
108 James Avenue
Nielsen's 6th Add., Block 2, Lot 8
Family room and full basement under
family room, \$8,550

Robert Tholen
201 West Main Street
Original Plat, Block 3, Lot 1-4
Retail Store, \$2,500

T & D Unlimited
109 Donita Avenue
Nielsen's 7th Add., Block 6, Lot 4
Screen proch, \$800

Schwan's Sales Enterprises
115 West College Drive
Blakes Addition, Block 2
Five new offices within office area
\$8,000

Slagel & Wambeke, Inc.
203 North High Street
Archbold's Addition, Lot 6
Fireplace, \$2,100

Slagel & Wambeke, Inc.
101 North 5th Street
Original Plat, Block 7, Lot 22-24
Kitchen, \$8,000

Leonard Breyfogle
805 East College Drive
Section 4, NE $\frac{1}{4}$
Laundry room, \$800

Councilperson Ritter expressed a concern to the council in regard to the time in which the flashing lights at the intersections on Main Street and College Drive switch to the flashing amber lights. City Engineer Duane Aden indicated to the council he would investigate the situation.


City Engineer Duane Aden informed the council that the Channel Parkway Project is nearly completed except for the sodding. It was the general consensus of the council that an official ribbon cutting ceremony be held for the opening of this portion of the Channel Parkway.

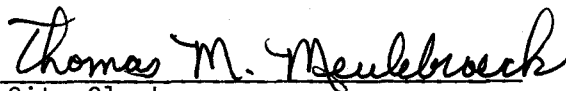
City Engineer Duane Aden informed the council that Ron Gilb, who has been on workmen's compensation and was the former parking meter service worker for the City of Marshall had received a release from his doctor allowing him to return to part time work which would be restricted to no scopping, heavy lifting or heavy vehicle work. Mr. Aden was requesting that the City Council allow Mr. Gilb to return to work to work with the parking meters, to do work on the downtown streets, assist his department with the surveying crew, and numerous other duties. Mr. Aden informed the council that he had indicated to Mr. Gilb if he was allowed to come back to work and if he was not able to perform the duties requested by Mr. Aden the city would

REGULAR MEETING - OCTOBER 5, 1981 (CONT'D.)

not be able to honor his employment. Hirmer moved, Ritter seconded, the proper city officials be authorized to hire Ron Gilb and to perform the duties as outlined by the City Engineer. All voted in favor of the motion, except Hoffman who voted no.

Upon motion made by Schlagel, seconded by Berre, the meeting was adjourned. All voted aye.


Mayor of the City of Marshall

ATTEST: 
City Clerk

REGULAR MEETING - OCTOBER 19, 1981

The regular meeting of the Common Council of the City of Marshall was held on October 19, 1981. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the Mayor the following members were present: Purrington, Ritter, Hirmer, Rogalski, and Berre. Absent: Hoffman.

Mayor Schlagel took this opportunity to welcome to the meeting the Boy Scouts who were in attendance and commended them for their interest in seeing how the city government operates.

Rogalski moved, Berre seconded, the approval of the minutes of the regular meeting of the Common Council held on October 5, 1981 as filed with each member. All voted in favor of the motion.

There was one bid received, opened and read at this time for the construction of Country Club Drive from County Road 7 to South 4th Street. The bid received, opened and read was from McLaughlin & Schulz, Inc., of Marshall, Minnesota in the amount of \$602,021.09. This bid was referred to City Engineer Duane Aden and the Minnesota Department of Transportation for their review.

Upon the recommendation of the Planning Commission, Schlagel moved, Berre seconded, the approval of a home occupation conditional use permit for Mr. Thomas Hess of 901 Hackberry Drive for an electrical service business which will provide an office at his home and a place where he may accept small deliveries. This permit is for a 1 year period of time. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Purrington moved, Hirmer seconded, the approval of a home occupation conditional use permit for Ms. Norma Raske of 1105 Washington Avenue to operate a beauty shop. This permit is for a 1 year period of time with the stipulation that the business not be expanded beyond one operator. All voted in favor of the motion, except Rogalski who voted no.

Be it noted the arrival of Councilperson Hoffman.

A request was received from the Weiner Memorial Medical Center Board to increase the ceiling from \$5,000 to \$10,000 to allow for the purchase of items without the formal bidding procedure. Hirmer moved, Rogalski seconded, this item be referred to the Legislative and Ordinance Committee for their review. All voted in favor of the motion.

A discussion was held at this time on an agreement between the City of Marshall and McGladrey Hendrickson Co., for the development and installation of a data processing system for the City of Marshall. Mr. Michael Carr a representative from McGladrey Hendrickson Company was in attendance at the meeting to discuss any questions or concern the council may have. Councilperson Rogalski was concerned with the statements received from McGladrey Hendrickson & Co., and indicated that he would like to see the statement itemized by day, how many hours per day, the rate per hour, and what the time was used for indicated on the

REGULAR MEETING - OCTOBER 19, 1981 (CONT'D.)

statements. Mr. Rogalski was informed that the statements received from McGladrey Hendrickson & Co., had the hours on them, the rate per hour and the general summary of what those hours were used for. Hirmer moved, Purrington seconded, the proper city officials be authorized to enter into an agreement with McGladrey Hendrickson & Co., for the development and installation of a data processing system. All voted in favor of the motion, except Rogalski who voted no.

The next item on the agenda was the consideration of approval of budget transfers in the 1981 and 1982 fiscal year budget. This request was to transfer funds appropriated out of capital expenditures for miscellaneous materials for replacement on storm sewers and sanitary sewers to a maintenance account of the appropriate budgets. This item was discussed with the City of Marshall's Auditors and it was their feelings along with the Financial Director that a policy be established on the capitalizing of improvements to storm sewer and sanitary sewers. Upon the recommendation of the financial director this item was tabled at this time.

Hirmer moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 504, SECOND SERIES, and that the reading of the same be waived. Resolution Number 504, Second Series is a resolution deleting the assessment against certain property adjacent to Lyon Street for curb and gutter. The assessment to be deleted is in the amount of \$213.78 for a driveway for parcel no. 4342 which was adopted in Resolution Number 469, Second Series. All voted in favor of the motion.

Upon the recommendation of the Airport Commission, Purrington moved, Berre seconded, the proper city officials be authorized to enter into new lease agreements for the airport for the calendar year 1982 using the same rates and terms as the leases for the calendar year 1981. All voted in favor of the motion.

Berre moved, Ritter seconded, the adoption of RESOLUTION NUMBER 505, SECOND SERIES and that the reading of the same be waived. Resolution Number 505, Second Series is a resolution dividing the City of Marshall into wards and precincts. This resolution eliminates precincts in Ward 1 and Ward 2 and is effective in 60 days. All voted in favor of the motion.

Berre moved, Hirmer seconded, the adoption of RESOLUTION NUMBER 506, SECOND SERIES and that the reading of the same be waived. This resolution provides that no parking signs be installed on the Southwesterly side of Saratoga Street from West College Drive to South 1st Street. All voted in favor of the motion.

Berre moved, Hirmer seconded, the adoption of RESOLUTION NUMBER 507, SECOND SERIES and that the reading of the same be waived. Resolution Number 507, Second Series is a resolution amending the resolution establishing the personnel policy for the City of Marshall as it relates to maternity leave. All voted in favor of the motion.

Hoffman moved, Schlagel seconded, and it was unanimously approved to accept the resignation of Director of Public Safety Garry Rick. The council expressed its appreciation for the efforts and achievements of Mr. Rick in the police department and the efforts he has put forth on the computer installation.

A discussion was held at this time on an agreement between the City of Marshall and Tele-Terminals for Phase I and Phase II Municipal Software Modifications. Tele-Terminals submitted an agreement to the City of Marshall indicating the fixed cost for the Municipal Software Modifications for Phase I and Phase II would be \$20,000. To this agreement the City of Marshall added some provisions to protect the City of Marshall. Schlagel moved, Purrington seconded, the proper city officials be authorized to enter into an amended agreement with Tele-Terminals for the Phase I and Phase II Municipal Software Modifications at a fixed cost of \$20,000. Tele-Terminals will be providing the hardware, the municipal software and the municipal software modifications to the City of Marshall and McGladrey Hendrickson & Co., will be the overseer for the City of Marshall to see that the hardware and software meets the needs and requirements of the City of Marshall. Councilperson Rogalski requested that they receive a breakdown of the expenditures and anticipated expenditures for the computer installation process. All voted in favor of the motion.

Ritter moved, Rogalski seconded, a discussion on the police department position that is to be terminated December 31, 1981 as per council action on September 21, 1981 be placed on the agenda at this time. All voted in favor of the motion.

Mayor Schlagel called on acting Director of Public Safety Marvin Bahn in regard to the position that is to be eliminated from the police department on

REGULAR MEETING - OCTOBER 19, 1981 (CONT'D.)

December 31, 1981. It was Mr. Bahn's request that this item be placed on the agenda of the November 2, 1981 meeting for a discussion at that time.

Hirmer moved, Ritter seconded, and it was unanimously approved that the following bills be authorized for payment: GENERAL FUND, Voucher No. 72167 through 72273; LIQUOR FUND, Voucher No. 26940 through 26962; WASTEWATER FACILITIES FUND, Voucher No. 2568 through 2595; SPECIAL ASSESSMENT FUND, Voucher No. 175 through 177; REVENUE SHARING FUND, Voucher No. 207, PARKING SYSTEM FUND, Voucher No. 2550 through 2554; DEBT SERVICE FUND, Voucher No. 1577 through 1579.

The following building permits previously approved by the City Engineer were confirmed:

James W. Edwards
315 Timberlane Drive
Village Park
Enclosed breezeway, \$800

Don Klein
903 North 5th Street
Northland Addition, Lot 7
Dwelling, \$30,000

Bruce Stueven
103 East Redwood Street
Section 4, SE $\frac{1}{4}$
Garage & bedroom addition
\$10,000

James Risch
406 Elm Street
Riverside Addition, Block 5, Lot 3
Garage, \$350

Earl Eeiring
601 Pleasant Street
Fre-Mar 3rd Addition
Garage, \$5,000

Bladholm & Hess
903 North 7th Street
Section 33, Part of SW $\frac{1}{4}$
Addition to Emulsion Manufacturing
Building, \$11,400

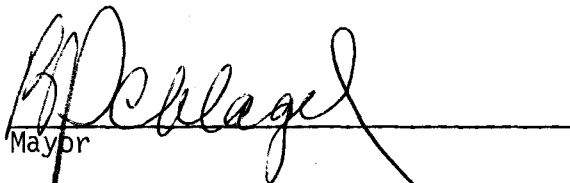
Amy Olson
418 North 4th Street
Riverside Add., Block 12, NW'ly $\frac{1}{2}$ of
Lots 1 & 2
Replacement of garage door, \$200

Leona Buchmayer
424 North 5th Street
Stewart & Jenkins Addition,
Block 1, Part of Lot 13
Demolish house, \$0

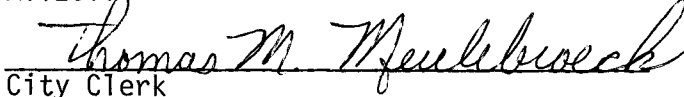
City Attorney Brian Murphy indicated to the council that he had received a letter from the Minnesota Department of Transportation approving the City of Marshall to proceed with the acquisition of the James E. and Judith Albrecht property parcel no. 103 which lies in Zone "A" of the Airport. Judith Albrecht indicated to City Attorney Brian Murphy that the Albrecht's would be moved out of the property by November 1, 1981 and that they would like to have until December 1, 1981 to move the items out that were previously agreed upon. The Albrecht's indicated that they would also like to retain the furnace. It was agreed upon by the council that they would be able to move the furnace after the winter season.

Hoffman moved, Schlagel seconded, the proper city officials be authorized to enter into an amended purchase agreement with James E. and Judith Albrecht for the acquisition of parcel no. 103 which lies in Zone "A" of the Airport. All voted in favor of the motion, except Hirmer and Berre who voted no.

Upon motion made by Schlagel, seconded by Ritter, the meeting was adjourned. All voted aye.


Mayor

ATTEST:


City Clerk

REGULAR MEETING - NOVEMBER 2, 1981

The regular meeting of the Common Council of the City of Marshall was held on November 2, 1981. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the mayor the following members were present: Purrington, Ritter, Hirmer, Hoffman, Rogalski and Berre. Absent: none.

Mayor Schlagel welcomed to the meeting the Webelos Scout Troop No. 105 at this time. The Webelos Scout Troop No. 105 along with their leader John Volker presented to the Mayor and the City of Marshall a flag. Mayor Schlagel thanked them for the flag and assured them that this flag would be flown over the Marshall Municipal Building.

Mayor Schlagel also welcomed to the meeting Professor Loren Tesdell and his business administration class from Southwest State University.

Berre moved, Hoffman seconded, the approval of the minutes of the regular meeting of the Common Council held on October 19, 1981 as filed with each member. All voted in favor of the motion.

Two bids were received, opened and read at this time for a rotary snow blower for the street department. This item was budgeted for in 1982 and to be paid for in 1982. The bids received, opened and read were from Itasca Equipment, Savage, Minnesota, a lump sum bid of \$54,970 less trade-in of \$10,200 for a net bid of \$44,770; and MacQueen Equipment Co., Inc., St. Paul, Minnesota, total lump sum bid of \$62,495 less trade-in of \$6,300 for a net bid of \$56,195. These bids were referred to City Engineer Duane Aden and Street Superintendent Jullo Kor for review.

A discussion was held at this time on the reducing of the staff of the Department of Public Safety. Acting Director of Public Safety Marvin Bahn discussed with the Council a letter that was sent to them presenting statistics of why he felt that it was necessary for the Police Department to be retained with 16 full-time licensed personnel. Mr. Bahn indicated that there had been \$19,000 spent through September 30, 1981 for overtime and part-time help. He indicated to the council that this amount would not be deleted nor would there be any additional expense if the 16th position was retained. He also felt that by retaining the police department with 16 licensed personnel it would be doing a great favor to the City of Marshall and that if it was reduced they would have to eliminate no. 5 services which are: money escorts, house checks and investigating private property accidents.

Councilperson Hoffman reviewed with the people who were in attendance at the meeting the council's action in regard to the police department being retained at 15 full-time licensed personnel. Councilperson Hoffman indicated to those in attendance at the meeting that when the new director was hired a year and one half ago he was advised to revise the contract the City of Marshall has with Southwest State University for police protection. With this revised contract two positions from the college were relieved to be used on the streets in the City of Marshall. One of these positions was to be terminated in 1981. During the same time there were some changes being made within the Marshall Police Department. During the summer of 1981 the council had agreed to extend the termination of one position through December 31, 1981 to provide for additional protection during the time the pipe line construction was being done. During the budget process in 1981 the council had agreed to eliminate this position as of December 31, 1981.

Mayor Schlagel indicated to those in attendance at the meeting that he was in favor of retaining the police department with 16 full-time licensed personnel and that this was not the time to reduce the number of personnel within this department when crime is continuing to rise.

Councilperson Rogalski also spoke in favor of retaining the police department with 16 full-time licensed personnel. Councilperson Rogalski indicated since the time the new director was hired there has been some professionalism and changes within the police department and that if the staff was decreased at this time the efficiency, professionalism and the morale would be reduced.

Councilperson Purrington felt that the number of officers is not the factor to be considered at this time, but the morale and attitude of the personnel within the department are the items that should be considered.

Steve Lavoie, a resident of Marshall, was concerned about the amount of time that is donated by the personnel within the police department and he also felt that if the morale was bad the people would not be donating their time.

Marv Bahn indicated to those in attendance that as of September 30, 1981 approximately 1800 hours had been donated. Marv Bahn indicated to the council that with the shift in personnel from the college contract that there are various duties that have not been relieved from the Marshall Police Department.

REGULAR MEETING - NOVEMBER 2, 1981 (CONT'D.)

Councilperson Hoffman was concerned as to whether the police department was surprised with the council's action to terminate the position or were there some problems with communication during the process.

Marv Bahn indicated he was surprised with the decision of the council and indicated that he thought that it was going to be reconsidered during the budget time and felt confident the council would retain the police department with 16 full-time licensed personnel.

Councilperson Hoffman felt that it was always quite clear by the council that the position would be terminated.

Councilperson Hoffman feels with the implementation of the computer 1 position will be saved within the police department and he would like to know where this position will be.

Marv Bahn indicated to Mr. Hoffman and those in attendance at the meeting the the computer will not cut a position at present but will save from having to add additional personnel in the future.

Part-time Police Officer Gary Welsand was concerned at this time whether the position the council is deciding to terminate is within the clerical area or the patrolman area.

Terry Lerach, a reserve for the Marshall Police Department, indicated to the council the time the new director was hired the records clerk was 6 weeks behind in her work and felt that with the computer they would be able to hold the position in the records area to one position. Mr. Lerach was also in favor of retaining the police department at 16 full-time licensed personnel especially at the time with rising crime.

Geroge Harrelson reviewed the stastics prepared by the police department and felt that with the increase in crime this is not the time to reduce the staff and that if the staff was reduced that crime could possibly increase.

Garry Rick, past Director of Public Safety, indicated to the council that when he started his position 1½ years ago there was one person within the records department and that shortly thereafter a temporary person was hired. In May of 1981 a position was terminated and was not refilled. Mr. Rick aslo indicated to the council that Southwest State University is within the city limits of the City of Marshall, therefore they must continue to provide services to that facility.

Norma Swenson felt that the department should be retained at 16 full-time licensed personnel.

Judy Fox, a representative of Southwest Women's Shelter, was in attendance at the meeting and spoke in favor of retaining the department at 16 full-time licensed personnel because it is critical to their organization to have quick response time.

Schlagel moved, Rogalski seconded, that the motion that was made on September 21, 1981 to reduce the number of licensed personnel within the police department from 16 to 15 be rescinded at this time and the police department be maintained with 16 full-time licensed personnel. No vote was taken on this motion.

Councilperson Berre indicated that the position that was being terminated was a temporary position and that staffing of the police department should be considered at the time the new Director of Public Safety is hired. She also felt that this matter should be referred to the Personnel and Ways and Means Committees.

Councilperson Ritter indicated he was in support of the council's action to hire the temporary patrolman and terminate the position as of December 31, 1981, but at this time would agree to retain the position but eliminate through attrition.

Purrington moved, Ritter seconded, the motion be amended to extend the 16th position until there is a promotion or termination and at that time reduce the staff to 15 personnel. No vote was taken on this motion.

Councilperson Hoffman was still concerned as to whether the position was still needed.

Councilperson Hirmer felt that the moral and attitude of the department will go up and down just like everything will. He is not convinced that the position should be maintained because there are to many unanswered questions at this time.

REGULAR MEETING - NOVEMBER 2, 1981 (CONT'D.)

Hirmer moved, Hoffman seconded, the issue of retaining the police department at 16 full-time licensed personnel be referred to the Personnel and Ways and Means Committees.

Patrolman Robert Swenson was concerned with how the police department could offer the same services with the increase in population without an increase in police personnel. His concern was that they were talking about people not money at this time.

Councilperson Ritter indicated to those who were in attendance at the meeting that as the city grows in size and population it is not only the police department that has additional responsibility but also other departments within the city.

Norma Swenson, wife of a patrolman, felt that there were other areas within the city such as Park & Rec Department where cuts in personnel could be made rather than the police department which provides safety for the City of Marshall residents.

Councilperson Berre clarified the population of the City of Marshall as per 1980 census at 11,161. She felt that the City of Marshall in the number of years that she has lived in Marshall has always been a safe place to live. She felt that before the city takes a vote on this matter and makes a commitment that it should be thoroughly reviewed and discussed with the proper committees.

Councilperson Purrington confirmed to those who were in attendance at the meeting that a new director would not be hired prior to January 1, 1982 and that the other 15 positions on the police department are concrete for now.

A vote was taken in regard to referring this issue to the Personnel and Ways and Means Committees. Voting in favor of the motion were: Purrington, Ritter, Hirmer, Hoffman and Berre. Voting no were: Schlagel and Rogalski. The issue of retaining the police department with 16 full-time licensed personnel is being referred to the Personnel and Ways and Means Committees.

Ms. Jane Kooster from Southwest Sexual Assault Program was in attendance at the meeting to discuss the activities of the program and express their appreciation to the City Council for their \$1,500 appropriation from General Revenue Sharing Funds in 1981.

Hirmer moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 508, SECOND SERIES and that the reading of the same be waived. Resolution Number 508, Second Series is a resolution awarding the bid to McLaughlin and Schulz Inc., Marshall, Minnesota in the amount of \$602,021.09 for the construction of Country Club Drive. These bids were reviewed by Mr. John Hoeke District State Aid Engineer and Mr. Gordon Fay State Aid Engineer. All voted in favor of the motion.

Hoffman moved, Schlagel seconded, that the proper city officials be allowed to enter into an agreement for emergency ambulance service for the following townships: Grandview, Amiret, Lake Marshall, Clifton, Fairview, Sodus and Lynd for the period January 1, 1982 through April 30, 1983 at a rate of \$2.78 per capita. All voted in favor of the motion.

David Frey, Wastewater Treatment Facility Superintendent, was in attendance at the meeting to discuss the proposed income and expenditures for this facility for 1982. Mr. Frey was recommending a 10% increase in the wastewater service rates to be effective January 1, 1982. Schlagel moved, Ritter seconded, a public hearing be set for November 16, 1981 at 7:30 P.M. to discuss the proposed increase of 10% for wastewater service rates. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, the bid be awarded to Itasca Equipment, Savage, Minnesota, for a rotary snow blower for the street department in the amount of \$44,770. This item is to be paid for out of the 1982 budget. All voted in favor of the motion.

Purrington moved, Ritter seconded, the proper city officials be authorized to advertise for bids for the sale and removal of the Albrecht property, parcel no. 103 near the airport. The bids for this property are to be received at 7:30 P.M. on December 7, 1981. There is to be a separate bid for the house and garage. All voted in favor of the motion.

At the regular meeting held on October 5, 1981 the council had authorized the city administrator to hire an individual for the ambulance coordinator position. Thomas Ross was the individual selected at this time but due to medical problems within his family he is not able to take the position, therefore Craig Lambert

REGULAR MEETING - NOVEMBER 2, 1981 (CONT'D.)

from Medicine Lake has been accepted for the position at \$1,700 per month with no step increases but would be eligible for CPI cost of living increases and other fringe benefits. This position is to be a non-classified position with the City of Marshall pay plan. Craig Lambert will be employed full time effective November 16, 1981.

Hirmer moved, Berre seconded, the ordinance establishing the cable TV franchise be referred to Legislative and Ordinance Committee. All voted in favor of the motion.

Schlagel moved, Hirmer seconded, that the council meet at 5 o'clock P.M. on Wednesday, November 4, 1981 to canvass the election returns for the biennial city election to be held on Tuesday, November 3, 1981. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, and it was unanimously approved that the following bills be authorized for payment: WASTEWATER FACILITIES FUND, Voucher No. 2596 through 2621; PARKING SYSTEM FUND, Voucher No. 2555 through 2563; DEBT SERVICE, Voucher No. 1580; SPECIAL ASSESSMENT FUND, Voucher No. 178 through 179; LIQUOR FUND, Voucher No. 26963 through 29688; GENERAL FUND, Voucher No. 72274 through 72400.

The following building permits previously approved by the City Engineer were confirmed:

Space Development Company
510 Erie Road
Industrial Park # 1, Block 5, Lot 3
Storage Building, \$54,000

Donald Klien
205 "F" Street
Nuese 2nd Add., Block 1, Lot 8
Dwelling, \$65,000

T & D Unlimited
1308 Horizon Drive
Sunrise Park Add., Block 6, Lot 5
Fireplace, office & hobby room
\$1,600

Schott Corporation
604 West Erie Road
Industrial Park # 1, Block 5, Lot 4
Flammable liquids (Cl. 111A) Storage
Building, \$3,500

Marshall Lumber Company
800 East Main Street
Section 9, NE $\frac{1}{4}$
free standing sign, \$0

The Collectables
800 East Main
Section 9, NE $\frac{1}{4}$
Free standing sign, \$0

Ted L. Lindberg
806 East Main
Section 9, SE $\frac{1}{4}$
Siding of residence \$1,000

Chuck's Roofing
427 North 5th Street
Eastmans Add., Block 1, Part of Lot 6
Extending basement, \$4,000

County of Lyon
607 West Main
Stewart & Jenkins Add., Block 8
Entrance vestibules, \$9,900

SWesta Builders, Inc.
801 West Main
Section 5, NE $\frac{1}{4}$
Free standing sign, \$0

Art Milner
419 North 7th Street
Section 4, NW $\frac{1}{4}$
Demolish dwelling, \$0

Slagel & Wambeke, Inc.
513 Central Avenue
VanUden Add., Block 1, Lot 7
Garage, \$3,700

Anthony Anderson
600 North Minnesota
VerMarv Add., Block 1, Lot 6
Garage, \$6,500

SWesta Builders Inc.
533 West Main
Original Plat, Block 6, NW'ly 11'
of Lots 14 & 15 - 18
Free standing sign, \$0

Councilperson Purrington requested the city administrator address a letter to the Western Bank and Trust delaying any action on the disposition of funds for the City of Marshall for 6 months.

A meeting of the council of the whole was set for November 9, 1981 at 7:30 P.M. to discuss the staffing for the police department.

Councilperson Rogalski requested a periodic update be submitted to the council on the expense and progress of the computer implementation.

Bob Grupe from Big Bob's Ambulance Service was in attendance at the meeting trying to get a commitment from the City of Marshall as to when the actual transition will take place from a privately owned ambulance system to the City of Marshall owned system.

REGULAR MEETING - NOVEMBER 2, 1981 (CONT'D.)

Upon motion made by Schlagel, seconded by Hirmer, the meeting was adjourned.
All voted aye.

Robert Schlagel
Mayor

ATTEST: *Thomas M. Meulebroeck*
City Clerk

SPECIAL MEETING - NOVEMBER 4, 1981

A special meeting of the Common Council of the City of Marshall was held on November 4, 1981. The meeting was called to order at 5 o'clock P.M. by Mayor Schlagel. In addition to the mayor the following members were present: Rogalski, Purrington and Ritter. Absent: Hoffman, Berre and Hirmer.

Election returns as filed by the election judges for the City Election held on November 3, 1981 were presented by the City Clerk. Summary of the votes cast for the various candidates and offices were determined to be as follows for said election:

	FIRST WARD		SECOND WARD		THIRD WARD		TOTAL
	Pre 1	Pre 2	Pre 1	Pre 2	Pre 1	Pre 2	
<u>MAYOR</u>							
Robert Schlagel	91	417	182	388	245	304	1627
<u>Write Ins</u>							
Tim Werner	1						1
Ron Cummins	1						1
Beth Connors	5						5
Ron Cockriel	4						4
Dan Westby	1						1
Tom Bartley	1						1
Al Bot	1						1
Elizabeth Connor	1						1
Keith Buesing	2						2
Terry Runke	1						1
Ray Hatten	1						1
Joe Amato	1						1
Allen Kruse	1						1
David B. Noble	1						1
Chuck Kvistad	1						1
Bud McGuiggan		1					1
Sister Clare		1					1
Jim Archbold		1					1
Robert Grong		1					1
Bob Jacob		1					1
Joe Bot Jr.		1					1
Randy Kirchner		1					1
Carston Burros		1					1
Roy Fox		1					1
Paul G. Rehkamp		1					1
Pat Schulzt		1					1
Paul DePover		1					1
E. F. Cattoor		1					1
Don Cool		2					2
Jack McLaughlin		1					1
Donald Lennard		1					1
Dale Collinsworth		1					1
Harriette Kaiser		1					1
Ardella Quarnstrom		2					2
Tom Hill			1				1
Gordon Zinda			1			2	3
Tom Hess			1				1
Mickey Mouse			1	1			2
Bob Lange			1				1
William Domino			1				1

SPECIAL MEETING - NOVEMBER 4, 1981 (CONT'D.)

	FIRST WARD		SECOND WARD		THIRD WARD		TOTAL
	Pre 1	Pre 2	Pre 1	Pre 2	Pre 1	Pre 2	
Glenn R. Miller			1		1		2
Mike Boedigheimer				3			3
Andy Doom				2			2
Brian Hoffman				1		1	2
Elaine Ritter				1			1
Dave Dirckx				1			1
John McLaughlin				1			1
Howard Miller				1			1
Jacob Caramell				1			1
Me1 Renner				1			1
Peter Labat				1			1
Beth Conner					1		1
Robert Anderson Jr.					2		2
Eddie Smith					1		1
Dave Gislason					1		1
Angie Hoove					1		1
Mary Ann Stapf					1		1
Price Charles					1		1
Tom Polfliet					1		1
Ivan Carrow					1		1
Dan Edblom					1		1
Barbara Mazack					1		1
Harvey McVey					1		1
Mary Wilson						1	1
Dean Leedom						1	1
Lon Meyer						2	2
Harry Fiefl						1	1
Mrs. William Sutor						1	1
Daffy Duck						1	1
Ray Fox						1	1
George Harrelson						1	1
	<u>114</u>	<u>438</u>	<u>189</u>	<u>403</u>	<u>258</u>	<u>316</u>	<u>1718</u>

COUNCILOR
FIRST WARD

Lanny Breczinski	27	305	
David Nass	<u>103</u>	<u>183</u>	
	<u>130</u>	<u>488</u>	332
			<u>286</u>
			<u>618</u>

COUNCILOR
SECOND WARD

Linda Berre	59	148	
Steve Halter	<u>132</u>	<u>281</u>	
			207
			<u>413</u>
Write Ins			
Russ Labat	1		
Alan Holmes		<u>1</u>	
	<u>192</u>	<u>430</u>	1
			<u>622</u>

COUNCILOR
THIRD WARD

Robert Hirmer	107	138	245
Randi Kirchner	<u>171</u>	<u>205</u>	<u>376</u>
	<u>278</u>	<u>343</u>	<u>621</u>

Purrington moved, Schlagel seconded, and it was unanimously approved that the following be declared dully elected for terms to commence on December 7, 1981: for Mayor, Robert J. Schlagel for a 2 year term; 1st Ward Councilor, Lanny J. Breczinski for a 4 year term; 2nd Ward Councilor, Steve Halter for a 4 year term; and 3rd Ward Councilor, Randi Kirchner for a 4 year term.

Upon motion made by Schlagel, seconded by Ritter, the meeting was adjourned. All voted aye.

Robert J. Schlagel
Mayor

ATTEST: *Thomas M. Meulibroeck*
City Clerk

REGULAR MEETING - NOVEMBER 16, 1981

The regular meeting of the Common Council of the City of Marshall was held on November 16, 1981. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the mayor the following members were present: Ritter, Purrington, Hirmer, Hoffman, Rogalski and Berre. Absent: none.

Hoffman moved, Hirmer seconded, the approval of the minutes of the regular meeting of the Common Council held on Monday, November 2, 1981 and the special meeting of the Common Council held on Wednesday, November 4, 1981 as filed with each member. All voted in favor of the motion.

A public hearing was held at this time on a 10% increase in the Wastewater Service Rates. David Frey, Superintendent of the Wastewater Treatment Facility, presented to the council the facts and figures which he felt justified the 10% increase in wastewater service rates. Mr. Frey had comparisons for the council of other cities who were in the same situation as the City of Marshall and other cities who were contemplating construction. Schlagel moved, Ritter seconded the adoption of RESOLUTION NUMBER 509, SECOND SERIES and that the reading of the same be waived. Resolution Number 509, Second Series is a resolution revising the user rates for wastewater service. All voted in favor of the motion.

Mr. Craig Lambert, Ambulance Director, was in attendance at the meeting to discuss with the council the transfer of the ambulance service from Big Bob's Ambulance Service to the City of Marshall Ambulance Service. Mr. Lambert has evaluated the purchasing of Big Bob's Ambulance Service equipment and supplies in comparison to purchasing the equipment and supplies from an outside agency. It was his recommendation that we purchase the equipment and supplies from Big Bob's Ambulance Service at \$20,031. Mr. Lambert also reviewed with the council the time table for the transfer of the ambulance service from Big Bob's Ambulance Service to the City of Marshall Ambulance Service if the City of Marshall purchases Big Bob's Ambulance Service equipment and supplies versus purchasing from an outside agency. Mr. Lambert feels that if the City of Marshall purchases the equipment from Big Bob's Ambulance Service the city will be able to take over the system by February 15, 1982, whereas if purchased from an outside agency it will probably be April 15, 1982 before the City of Marshall takes over the ambulance system. Mr. Lambert indicated that volunteers for the ambulance system will be paid \$2.00 per hour for stand-by time and there is estimated to be 17,500 stand-by hours in a year. Upon the recommendation of the Ambulance Director, Ritter moved, Schlagel seconded, that the proper city officials be authorized to purchase Big Bob's Ambulance Service equipment and supplies at a price of \$20,031. All voted in favor of the motion.

Hoffman moved, Rogalski seconded, the approval of a supplemental appropriation from contingency to the ambulance account in the amount of \$15,000 for the year 1982 to allow for the purchase of Big Bob's Ambulance Service equipment and supplies. All voted in favor of the motion.

Hoffman moved, Berre seconded, the approval of a supplemental appropriation from contingency to the ambulance account in the amount of \$4,000 for 1981 for salaries for the ambulance coordinator. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Hirmer moved, Schlagel seconded, the approval of a 1 year home occupation conditional use permit for a ceramic greenware shop for Jerry Otto at 102 Southview Drive. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Berre moved, Hirmer seconded, the request by Jeffrey B. Olson for the rezoning of a parcel of land at 702A East Main from R-1 to B-2 be denied. Mr. Olson's intent for this parcel of property was to construct a 62' by 32' 2 story wood frame building that would have a cabinet shop and carpentry tools and equipment on the main floor and his personal residence on the second floor. All voted in favor of the motion.

Hirmer moved, Rogalski seconded, the renewal of the annual on-sale club license for the Marshall Golf Club and the Fraternal Order of Eagles AERIE 3405 be approved for the calendar year 1982. All voted in favor of the motion.

Hoffman moved, Hirmer seconded, the approval of the annual renewal of all off-sale beer licenses for the calendar year 1982. The City Administrator was instructed to send letters to all businesses informing them the individuals selling beer must be 19 years of age. All voted in favor of the motion.

Schlagel moved, Berre seconded, the approval of the renewal of all on-sale beer licenses for the calendar year 1982. All voted in favor of the motion.

REGULAR MEETING - NOVEMBER 16, 1981 (CONT'D.)

A request was received from Mr. Richard Gillund of Minneota, Minnesota for the City of Marshall to pay him \$203.14 for storm water damage received to his vehicle while it was parked near the Hy-Vee parking lot this summer. The claim had been submitted to the City of Marshall insurance company and they denied the claim based on the fact that the city was not unreasonably negligent in controlling the run-off; therefore, Schlagel moved, Rogalski seconded, the request from Mr. Gillund for the city to pay him \$203.14 for the damage received to his vehicle be denied. All voted in favor of the motion.

Hirmer moved, Hoffman seconded, the adoption of RESOLUTION NUMBER 510, SECOND SERIES and that the reading of the same be waived. Resolution Number 510, Second Series is a resolution providing for the installation of traffic control devices, consisting of stop signs, yield signs and no parking signs to be located on various streets. All voted in favor of the motion.

Hirmer moved, Hoffman seconded, Monday, November 30, 1981 at 7:30 P.M. be the date and time set for a special meeting of the City Council of the City of Marshall to consider the adoption of the Comprehensive Plan for the City of Marshall and the introduction of various amendments to the zoning ordinance. All voted in favor of the motion.

Schlagel moved, Ritter seconded, a special dinner meeting of the Common Council of the City of Marshall be set for Monday, December 7, 1981 at 5:30 P.M. at the Chalet to welcome and introduce the new members to the council and to discuss the appointments to the various committees. All voted in favor of the motion.

Purrington moved, Ritter seconded, the proper city officials be authorized to advertise for bids to be received at 7:30 P.M. on Monday, December 21, 1981 for: a 23,000 GVW truck with box for the street department; a sewer cleaner for the sanitary and storm sewer department; a pickup truck for wastewater department; and a squad car for the police department. These items are included in the 1982 budget. All voted in favor of the motion.

Hirmer moved, Schlagel seconded, and it was unanimously approved that the following bills be authorized for payment: REVENUE SHARING FUND, Voucher No. 208 through 210; SPECIAL ASSESSMENT FUND, Voucher No. 180 through 182; WASTEWATER FUND, Voucher No. 2622 through 2649; DEBT SERVICE FUND, Voucher No. 1581; LIQUOR FUND, Voucher No. 29689 through 29718; GENERAL FUND, Voucher No. 72401 through 72551. There was some discussion on the statement received from Tele-Terminals for the maintenance agreement on the computer hardware and software which was effective October 18, 1981. It was the general consensus of the council that paying for a maintenance agreement on the computer hardware and software was some what premature at this time, since the system is not up and operating as of this time. There was also some concern about the statement received from McGladrey Hendrickson Co., consultants for the computer system for the City of Marshall since they were instructed to have their hours itemized on the statement submitted to the City of Marshall for payment.

The following building permits previously approved by the City Engineer were confirmed:

Homestead Realty
311 East College Drive
Original Plat, Block 21, Lot 1
Free standing sign, \$0

Fagen-Pulsifer Buildings, Inc.
200 O'Connell Street
McFarlands Addition, Block 3,
Part of Lot 1
Office Building, \$75,000

Slagel and Wambeke, Inc.
108 A South 5th Street
Original Plat, Block 6, Part of Lot 20
Dwelling and storage building, \$27,300

Larson Construction Co., of Marshall
300 Donita Avenue
Nielsen's 7th Add., Block 3, Lot 12
Dining room and kitchen addition
\$5,400

Richard Leonard
406 Walnut Street
Riverside Add., Block 1, Lot 9 and
Part of Lot 10
Storage Building, \$200

Jeffery R. Thomas
102 East Maple Street
Grays Second Add., Block 2, Lot 14
Dining room addition, \$4,000

Donald C. Klein
702 Nuese Lane
Nuese 2nd Add., Block 1, Lot 3
Dwelling, \$45,000

David and Steve Meyer
208 South 5th Street
"A" Addition, Block 8, Part of Lot 12
New basement, \$6,000

REGULAR MEETING - NOVEMBER 16, 1981 (CONT'D.)

Art E. Matthys
1201 West Main
Section 5, Part of NE¼
Reside and remodeling
\$4,500

The Barbers
1420 East College Drive
McFarland Add., Block 2, Lot 6
Remodel store front
\$3,300

Councilperson Purrington briefly discussed with the council the informative and educational meeting that had been held on the afternoon of Monday, November 16, 1981 at 1 o'clock P.M. at the Marshall Law Enforcement Center in regard to the Redwood River Watershed District.

The mayor as well as other council members and administrative staff personnel in attendance at the meeting thanked Robert Hirmer, Brian Hoffman and Linda Berre for the number of years and contributions they have made to the City of Marshall as council members.

The City Attorney, Brian Murphy, requested the council to place on the table at this time the ordinance for the cable TV franchise. Hoffman moved, Schlagel seconded, the introduction of an ordinance for the cable TV franchise be placed on the table at this time. All voted in favor of the motion.

After a brief discussion on the ordinance for the cable TV franchise, it was the general consensus of the council not to introduce the ordinance at this time and that the city attorney be authorized to inform the State of Minnesota, Minnesota Cable Communications Board the City of Marshall Legislative and Ordinance Committee is reviewing the proposed ordinance at this time.

A recap of the year to date and anticipated expenditures for the City of Marshall computer system was submitted to the council by the Finance Director/City Clerk. Councilperson Rogalski suggested that in the near future the appropriate appropriations be made for the expenditures on the computer system.

The City Administrator, Jim Heller, indicated to the council that he had received notification from Blue Cross/Blue Shield, who provides health insurance for the City of Marshall employees, is expecting a 45% increase in premiums for 1982 and that there is an anticipated 15% increase in premiums from Delta Dental, which provides dental insurance.

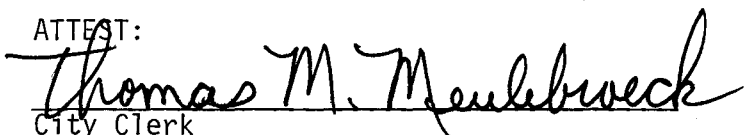
Hoffman moved, Berre seconded, the approval for the proper city officials to notify the City of Marshall employees of the increase in health insurance and dental insurance be placed on the agenda at this time. All voted in favor of the motion.

Hoffman moved, Berre seconded, the proper city officials be authorized to notify the City of Marshall employees of the anticipated increase in health insurance and dental insurance and that there will be a meeting prior to December 31, 1981 to discuss alternatives to insurance coverage and how the increase cost of the insurance will be borne by the City of Marshall and its employees. All voted in favor of the motion.

Upon motion made by Schlagel, seconded by Hirmer, the meeting was adjourned. All voted aye.


Mayor of the City of Marshall

ATTEST:


City Clerk

SPECIAL MEETING - NOVEMBER 30, 1981

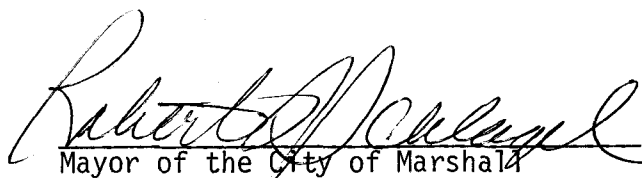
A special meeting of the Common Council of the City of Marshall was held on November 30, 1981. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the mayor the following members were present: Purrington, Ritter, Hirmer, Rogalski and Berre. Absent: Hoffman, due to illness.

Upon the recommendation of the Planning Commission, Hirmer moved, Berre seconded, the adoption of RESOLUTION NUMBER 511, SECOND SERIES and that the reading of the same be waived. Resolution Number 511, Second Series is a resolution adopting the Comprehensive Plan for the City of Marshall. This plan was adopted with the changes that were specified at the public hearing held on November 24, 1981. All voted in favor of the motion.


A discussion was held at this time on the introduction of an ordinance to amend various sections of the zoning ordinance. City Attorney Brian Murphy is in the process of drafting an ordinance to amend various sections of the zoning ordinance and it was his recommendation that an ordinance not be introduced at this time to amend the various sections of the zoning ordinance but that it be referred to the Legislative and Ordinance Committee for their review. Hirmer moved, Rogalski seconded, the proposed ordinance to amend various sections of the zoning ordinance be referred to the Legislative and Ordinance Committee. All voted in favor of the motion.

Hirmer moved, Purrington seconded, the approval of a transient merchants license for R.S.T. Fruit Company from Papillion, Nebraska to sell fresh fruit to residents within the City of Marshall. All voted in favor of the motion, except Berre and Schlagel who voted no.

Upon motion made by Schlagel, seconded by Hirmer, the meeting was adjourned. All voted in favor of the motion.


Mayor of the City of Marshall

ATTEST:


City Clerk

REGULAR MEETING - DECEMBER 7, 1981

The regular meeting of the Common Council of the City of Marshall was held on December 7, 1981. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the mayor the following members were present: Purrington, Brezczinski, Halter, Rogalski and Kirchner. Absent: Ritter.

Pursuant to the results of the November 3, 1981 City Election, the Oath of Office was administered to the following elected officials: Robert J. Schlagel, Mayor; Lanny J. Brezczinski, First Ward Councilor; Steve Halter, Second Ward Councilor; and Randi Kirchner, Third Ward Councilor.

Rogalski moved, Schlagel seconded, the approval of the minutes of the regular meeting of the Common Council held on Monday, November 16, 1981 and the special meeting of the Common Council held on Monday, November 30, 1981 as filed with each member. All voted in favor of the motion.

Two bids were received, opened and read at this time for the removal of the house and garage on the Albrecht property located in Zone "A" of the airport approach zone. The first bid received, opened and read was from Doug Schlorf of Ghent, Minnesota which was a \$50.00 payment to the city for the complete removal of the existing wood frame house structure and \$25.00 payment to the city for the complete removal of the existing wood frame garage. The second bid received, opened and read was from D & G Excavating Inc., Marshall, Minnesota for a net cost to the city of \$3,885 for the complete removal of the existing wood frame structure and \$100.00 cost to the city for the complete removal of the wood frame garage. Schlagel moved, Purrington seconded, the bid be awarded to Doug Schlorf of Ghent, Minnesota for a \$50.00 payment to the city for the complete removal of the wood frame house and \$25.00 payment to the city for the complete removal of the wood frame garage. All voted in favor of the motion.

The next item on the agenda was the authorization of the proper city officials to cancel the existing contract between the City of Marshall and Big Bob's Ambulance Service, Inc., and also authorizing the execution of the purchase agreement for the purchase of equipment and supplies from Big Bob's Ambulance Service. Brian Murphy, City Attorney, recommended that the proper city officials not be authorized to execute any agreements with Big Bob at this time. It was his recommendation that the authorization be given to the proper city officials upon receiving an executed agreement from Big Bob's Ambulance Service. Schlagel moved, Rogalski seconded, the authorization for the proper city officials to execute an agreement between Big Bob's Ambulance Service and the City of Marshall for the cancellation of an existing contract and the purchasing of equipment and supplies from Big Bob's Ambulance Service be postponed until an executed agreement is received from Big Bob's Ambulance Service. All voted in favor of the motion.

Mr. Craig Lambert, Ambulance Coordinator, was in attendance at the meeting to discuss with the council the volunteer staffing, how the volunteers would be paid and the proposed rates that the ambulance system would be charging once the City of Marshall is operating the system. Mr. Lambert indicated to the council that he is hoping to have 10 volunteers when the City of Marshall begins the ambulance service and that in one year that he will hopefully have 15 to 20 volunteers. Mr. Lambert also discussed with the council the training requirement that a volunteer must have before they are allowed to work with the City of Marshall Ambulance Service. Mr. Lambert indicated to the council that there are 17,520 stand-by hours in a year and that he as the director would be absorbing 7,200 stand-by hours during the first year and that after the first year this may be reduced by 2,000 hours which would possibly cost the city an additional \$2,000.

Rogalski moved, Brezczinski seconded, the Southwest State University Student Association be granted a 4 month temporary non-intoxicating liquor license at a fee of \$60.00. All voted in favor of the motion.

Schlagel moved, Purrington seconded, Don Hudson be reappointed to a second term on the Board of Directors for the Housing and Redevelopment Authority for a term to expire December 5, 1986. All voted in favor of the motion.

Purrington moved, Schlagel seconded, the proper city officials be authorized to receive proposals for the purpose of removing snow from sidewalks at such locations that the owners may have not taken the initiative to remove the snow as per city code requirements. Under the proposal the contractors would be furnishing the equipment and labor as per specifications to remove the snow at locations as designated by the City Engineer's Office. The property owners would then be assessed for the snow removal operation plus some administrative costs. These proposals are to be received at the regular meeting on December 21, 1981 at 7:30 P.M. There was

REGULAR MEETING - DECEMBER 7, 1981 (CONT'D.)

some concern whether the property owner should be assessed these costs or the City of Marshall should be providing this as a service. All voted in favor of the motion, except Rogalski who voted no.

Schlagel moved, Rogalski seconded, the following appointments: City Attorney, Brian Murphy; President Pro-Tem, William (Bill) Ritter; Southwest Regional Development Commission Representative, Dwayne Purrington; Public Works Committee, William (Bill) Ritter, Robert Schlagel and John Rogalski; Park & Recreation Board Representative, William (Bill) Ritter; Transportation Committee, William (Bill) Ritter, Steve Halter and Lanny Breczinski; Legislative and Ordinance Committee, Robert Schlagel, Lanny J. Breczinski, and Randi Kirchner; Personnel Committee, Randi Kirchner, Steve Halter and John Rogalski; Ways and Means Committee, William (Bill) Ritter, Dwayne Purrington, and Lanny J. Breczinski. All voted in favor of the motion.

A discussion was held at this time on the proposed rate increases for the employee group insurance plan for the year beginning January 1, 1982. A meeting had been held with the City of Marshall employee's on December 1, 1981 to discuss the proposed rate increases and possible alternatives to current coverage the City of Marshall has. Rogalski moved, Halter seconded, the proper city officials be authorized to rebid the health, dental and life insurance coverage for the City of Marshall. All voted in favor of the motion, except Purrington and Breczinski who voted no.

Purrington moved, Schlagel seconded, the following revenues be recognized as part of the 1981 budget and that the following supplemental appropriations from contingency be made: a refund was received from the Marshall Volunteer Fire Department in the amount of \$7,000 to account number 3950.1; \$394,240.62 was received from the State of Minnesota for the construction of the Channel Parkway account number 3350.1; \$551,787.27 was received from the State of Minnesota for the construction of Country Club Drive account number 3350.11; and \$46,466.30 was received from the State of Minnesota for engineering fees on Country Club Drive account number 3350.12. A supplemental appropriation from the contingency to the fire department account number 4120.540 in the amount of \$7,000; supplemental appropriation from contingency to account number 4881 for the purchase of airport property \$55,706; and \$394,240.62 from supplemental appropriation from the contingency to account number 4218 for Channel Parkway construction. It was the general consensus of the council that the next regular meeting the city administrator have available for the council members a copy of the computerizing feasibility report and a summary of when and what has happened since the computer feasibility report. All voted in favor of the motion.

A discussion was held at this time on the status of future Zone "A" land acquisition on the landing and take-off approaches to the Municipal Airport. City Attorney Brian Murphy and City Administrator Jim Heller had received previous approval from the council to act as negotiators in acquiring this property. It was the general consensus of the new council members that the city attorney and city administrator be allowed to proceed with the acquiring of these parcels of property as was originally agreed by past council members. It was the city administrator's and city attorney's opinion that they would keep the sellers informed on what's happening in the acquisition of their parcel of property and that they would not take any action unless there is a majority vote of the council in acquiring these parcels of property. City Engineer Duane Aden informed the council members that funds have been encumbered by the state for their reimbursing to the City of Marshall for the acquisition of this airport property and these funds are not part of the state general fund monies.

A brief discussion was held at this time revealing with the council the proposed chart of accounts to be used after the computer is installed.

Purrington moved, Rogalski seconded, and it was unanimously approved that the following bills be authorized for payment: GENERAL FUND, Voucher No. 72552 through 72657; PARKING SYSTEM FUND, Voucher No. 2571 through 2581; REVENUE SHARING FUND, Voucher No. 211; SPECIAL ASSESSMENT FUND, Voucher No. 183 through 186; WASTEWATER FACILITY FUND, Voucher No. 2650 through 2687 and LIQUOR FUND, Voucher No. 29719 through 29760.

The following building permits and mobile home permits previously approved by the City Engineer were confirmed:

Gerald Lozinski
406 North High Street
Riverside Addition, Block 3, Lot 5
Remove 6 & replace 2 porch windows, \$1,000

Fraternal Order of the Eagles
423 West Main Street
Original Plat, Block 5, Lot 11 - 14
Bingo area remodeling, \$43,000

REGULAR MEETING - DECEMBER 7, 1981 (CONT'D.)

Leonard Yonker
404 Mason Street
Faye F. Reeds Add., Block 2, Lot 21 & 22
Reside & replace windows, \$6,000

The Church of the Holy Redeemer
501 West Lyon Street
Original Plat, Block 7, Lot 1
Ceiling replacement (Carlin Hall)
\$8,000

Lindberg Plastering
1500 East College Drive
McFarlands Addition, Block 3, Lot 1
Partition, \$2,500

Dwight Jackson
300 Rainbow Drive
Section 5, Part of SE $\frac{1}{4}$
Fireplace and addition to garage
\$1,000

Ray Henle
803 Cheryl Avenue
Eatros Place 1st Add., Block 1, Lot 1
Utility room remodeling & garage add.
\$8,500

Prayer Power Inc.
309 East College Drive
Original Plat, Block 21, Lot 1
Flat building sign, \$120

Donald Hay
302 Southview Drive
Nielsen's 7th Add., Block 1, Lot 2
Patio, \$500

Robert L. Carr Co.
100 Church Street
Section 4, Part of SE $\frac{1}{4}$
Class rooms, \$105,500

Vince Buysse Construction
409 South Whitney Street
1st Add. to Morningside Heights
Block 6, Lot 5
Reside residence, \$2,752

Finish Sauna Builders Inc., New
Hope, Minnesota
1500 East College Drive
McFarlands Add., Block 3, Lot 1
Sauna Deck, \$3,000

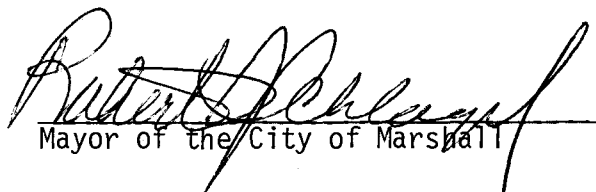
Ron Velde
1225 East College Drive, Lot 5
Mobile home installation

Jerry Lupkes
346 Timberlane Drive
Village Park Mobile Home
Mobile home installation

Councilperson Purrington requested the city administrator to send a letter to the Planning Commission members and Mr. LeRoy Affolter indicating the City of Marshall's appreciation for the work that they have done on the comprehensive plan presently adopted by the city.

City Attorney Brian Murphy informed the council members that they would be receiving shortly a rough draft of the zoning ordinance with the changes as adopted in the comprehensive plan for the City of Marshall.

Upon motion made by Schlagel, seconded by Rogalski, the meeting was adjourned. All voted in favor of the motion.


Mayor of the City of Marshall

ATTEST:


City Clerk

REGULAR MEETING - DECEMBER 21, 1981

The regular meeting of the Common Council of the City of Marshall was held on December 21, 1981. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the mayor the following members were present: Ritter, Breczinski, Halter, Rogalski and Kirchner. Absent: Purrington.

Rogalski moved, Ritter seconded, the approval of the minutes of the regular meeting of the Common Council held on December 7, 1981 as filed with each member. All voted in favor of the motion.

Tim Bell from Hagemeister, Ebeling & Lehn, Consulting Engineer's and Surveyor's Firm, was in attendance at the meeting to discuss with the council the Preliminary Plat for the Slagel & Wambeke Addition. Upon the recommendation of the Planning Commission, Schlagel moved, Ritter seconded, the Preliminary Plat for Slagel and Wambeke Addition be approved. All voted in favor of the motion.

Bids were received, opened and read at this time for equipment for various departments in the City of Marshall. The first series of bids received, opened and read were for a 23,000 G.V.W Truck for the Street Department. The bids received, opened and read were from: Olson & Johnson, Marshall, Minnesota, a lump sum bid of \$14,741 less trade-in of \$3,250 for a net bid of \$11,491; Tholen Auto Sales, Marshall, Minnesota, a lump sum bid of \$19,739.00 less trade-in of \$7,581.50 for a net bid of \$12,157.50; and Southwest Ford, Marshall, Minnesota, a lump sum bid of \$14,148.84 less trade-in of \$1,500 for a net bid of \$12,648.84.

The second series of bids received, opened and read were for the truck dump box for the Street Department. The bids received, opened and read were from: Schweigers Inc., Watertown, South Dakota, \$4,549.00; Roy F. Drake Body & Equipment Co., Sioux Falls, South Dakota, \$4,014.54; Bryan Equipment Co., Inc., Brainerd, Minnesota, \$5,507.00; Garwood - Twin Cities, Minneapolis, Minnesota, \$5,063; and Tomark Equipment Inc., Sioux Falls, South Dakota, \$5,010.

The third series of bids received, opened and read were for a sewer cleaner for Wastewater and Storm Sewer Departments. The bids received, opened and read were from: Flexible Tool Co., Sauk Center, Minnesota a lump sum bid of \$37,660 less trade-in of \$10,000 for a net bid of \$27,660; Bryan Equipment Co., Inc., Brainerd, Minnesota a lump sum bid of \$44,727.00 less trade-in of \$13,498.72 for a net bid of \$31,228.28; Southwest Ford, Marshall, Minnesota a lump sum bid of \$47,462.28 less trade-in of \$10,956.73 for a net bid of \$36,805.55; MacQueen Equipment Co., Minneapolis, Minnesota a lump sum bid of \$35,500 less trade-in of \$6,700 for a net bid of \$28,800.

The fourth series of bids received, opened and read were for a pickup truck for the Wastewater Treatment Plant. The bids received, opened and read were from: Southwest Ford, Marshall, Minnesota a lump sum bid of \$8,529.35 less trade-in of \$2,630.11 for a net bid of \$5,899.24; and from Tholen Auto Sales, Marshall, Minnesota a lump sum bid of \$8,765.45 less trade-in of \$2,742.09 for a net bid of \$6,023.36.

The fifth series of bids received, opened and read were for a 4-door sedan for the Police Department. The bids received, opened and read were from: Southwest Ford, Marshall, Minnesota, a base bid for a 1982 Ford LTD, Model S, a lump sum bid of \$10,850.70 less trade-in of \$3,566.70 for a net bid of \$7,284.00, their alternate bid was for a 1982 Ford Futura for a lump sum bid of \$9,098.70 less trade-in of \$2,884.70 for a net bid of \$6,214.00; and Tholen Auto Sales, Marshall, Minnesota, a base bid for a 1982 Buick LeSabre, a lump sum bid of \$11,428.77 less trade-in of \$2,914.92 for a net bid of \$8,313.85, their alternate bid was for a 1982 Pontiac Bonneville for a lump sum bid of \$10,908.90 less trade-in of \$2,846.65 for a net bid of \$8,062.25.

The bids received, opened and read for the 23,000 G.V.W. Truck, the truck dump box, the sewer cleaner, the pickup truck and the 4-door sedan for the Police Department were all referred to the City Engineer for him to review.

Two bids were received, opened and read at this time for the removal of snow from sidewalks on adjacent property in which the owner did not take the initiative to remove the snow. The bids received, opened and read were from: George Jacob, Marshall, Minnesota at a rate of \$26.50 per hour or a 13¢ per running foot with a minimum of 50 running feet; and Ron Velde, Marshall, Minnesota at a rate of \$19.75 per hour. These bids were referred to the City Engineer for review.

Schlagel moved, Ritter seconded, the proper city officials be authorized to enter into an agreement between the City of Marshall and the Marshall Ambulance Service Inc., providing for the cancellation of the existing contract effective February 15, 1982 and authorizing the purchase agreement for the equipment and supplies from Marshall Ambulance Service at a price of \$20,031. All voted in favor

REGULAR MEETING - DECEMBER 21, 1981 (CONT'D.)

of the motion.

Upon the recommendation of the Planning Commission, Kirchner moved, Schlagel seconded, the approval of the 1 year conditional use permit for a home occupation to bake and distribute bakery and pastry specialties for Ms. Lynn Sulackow of 1302 Birch Street, Apartment #16. A question was raised on the precedent of issuing conditional use permits for apartments? City Attorney Brain Murphy indicated an agreement must be worked between a property owner and an occupant to allow for the occupant to conduct a business in an apartment. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Schlagel moved, Ritter seconded, the approval of a variance adjustment permit for MDI at 425 North 7th Street for a side yard variance of 10 feet rather than the required 20 feet and for a rear yard of 2 feet less than the required 25 feet and for 4 parking stalls rather than the required 5 spaces. All voted in favor of the motion.

Greg Cattoor a representative of the Marshall Industries Foundation was in attendance at the meeting to discuss with the council the city's interest in working with the foundation in efforts to attract potential industries into locating in the City of Marshall. The foundations prime concern at this time was the possibility of the City of Marshall cooperating in the use of tax increment bonds for industrial expansion in the 35 to 50 acres of the Wastewater Treatment Plant Lagoon site. Ritter moved, Kirchner seconded, a letter be sent to the Marshall Industries Foundation indicating to them that the City of Marshall is willing to cooperate in any way possible to promote industry in the City of Marshall. All voted in favor of the motion.

Schlagel moved, Ritter seconded, the approval of the renewal of the annual gambling license for the American Legion Post No. 113 and the Fraternal Order of Eagles AERIE 3405 for the calendar year 1982. All voted in favor of the motion.

Rogalski moved, Schlagel seconded, the proper city officials be authorized to advertise for bids for garbage removal for the City of Marshall for the period February 1, 1982 through January 31, 1983. Bids are to be requested by location and also by an alternative bid if all locations are awarded. These bids are to be received at the regular council meeting to be held on January 4, 1982. Breczinski moved, Rogalski seconded, the motion be amended to allow the proper city officials to advertise for bids for garbage removal for the City of Marshall for the period February 1, 1982 through January 1, 1983 and to include a \$5,000 performance bond. All voted in favor of the amendment, except Ritter who abstained. All voted in favor of the motion as amended, except Ritter who abstained.

Schlagel moved, Rogalski seconded, the renewal of the annual on-sale liquor license for The Chalet, Earth II, American Legion Post #113, Marshall Inn, Corner Bar, Wooden Nickel and Michael's On The Main be approved for the calendar year 1982. All voted in favor of the motion.

Schlagel moved, Breczinski seconded, to approve the transient merchants permit for Olan Mills Studios to conduct a photography business in the City of Marshall, however the license would not be issued until the application has been completed in its entirety. Schlagel, Breczinski and Rogalski voted in favor of the motion. Halter, Kirchner and Ritter voted no. The permit was denied. It was the general consensus of the council that the transient merchants license for Olan Mills Studios would be reconsidered provided they submit an application completed in its entirety and also indicate who would be contacted locally in regard to this license and the telephone number of where they may be reached when working locally.

Schlagel moved, Rogalski seconded, the approval of the following bids: for a 23,000 G.V.W. truck for the Street Department be awarded to Olson and Johnson, Marshall, Minnesota for a lump sum bid of \$14,741 with a trade-in of \$3,250 for a net bid of \$11,491; for a truck dump box and hoist for the Street Department be awarded to Roy F. Drake Body & Equipment Co., Sioux Falls, South Dakota in the amount of \$4,014.54; for a sewer cleaner for Wastewater and Storm Sewer Department to Flexible Tool Co., of Sauk Center, Minnesota for a lump sum bid of \$37,660 less trade-in of \$10,000 for a net bid of \$27,660; for a pickup truck for the Wastewater Treatment Facility to Southwest Ford, Marshall, Minnesota for a lump sum bid of \$8,529.35 with a trade-in of \$2,630.11 for a net bid of \$5,899.24. It was the recommendation of the City Engineer that the bids received for the 4-door sedan for the Police Department be referred to Marv Bahn, Acting Director of Public Safety, for his review. Councilperson Ritter also suggested that in future years the specs include a request for a line setting ticket to be used to check off the piece of equipment when it is received to make sure it meets the specifications. All voted in favor of the motion.

REGULAR MEETING - DECEMBER 21, 1981 (CONT'D.)

Schlagel moved, Ritter seconded, the bid for snow removal from walkways that the adjacent property owner has not taken the initiative to remove be awarded to Ron Velde, Marshall, Minnesota at a rate of \$19.75 per hour. All voted in favor of the motion, except Rogalski who voted no.

City Administrator Jim Heller reviewed with the council the history and current status of the City of Marshall's data processing program. Mr. Heller reviewed with the council the costs that have been incurred and those that are anticipated to be incurred. Mr. Heller reviewed with the council some of the programs that we would like to see on the computer in the future such as: word processing, Park & Rec package, utility package, assessment package, liquor store package, special assessment, library accounting & parking tickets. There is no firm cost to the city as to what these will actually cost at this time. The end product of what the computer would produce did not seem to be the question of the council members, but what were and what are going to be the hardware costs and software costs of the other phases the city is intending to put on the computer. Kirchner moved, Breczinski seconded, the approval of the supplemental appropriation from the contingency in 1981 to the Data Processing Account in the amount of \$9,100 for the purchase of the POSSE software and also a supplemental appropriation from contingency in the amount of \$28,900 for 1982 for the software programming. An appropriation was not approved at this time for the work processing program and the park & rec package due to the fact that we do not have a firm cost on these items at this time. All voted in favor of the motion.

Schlagel moved, Breczinski seconded, that the proper city officials be authorized to enter into an agreement with the changes as provided by the City Attorney for the municipal software package between the City of Marshall and Tele-Terminals Inc. This agreement provides for the software with certain restrictions on the ownership and possession of that software by the City of Marshall and in accordance with the copyright restriction and privileges that Tele-Terminals received from Software Systems Inc. All voted in favor of the motion.

Schlagel moved, Kirchner seconded, the adoption of RESOLUTION NUMBER 512, SECOND SERIES and that the reading of the same be waived. Resolution Number 512, Second Series is a resolution amending the Personnel Policy for the City of Marshall. This resolution provides for a change in the pay periods for the City of Marshall employees. With this resolution the pay period for employees shall be for a period of 2 weeks (14 days). All voted in favor of the motion.

The next item on the agenda was to consider a IRS exemption on the Volunteer Fire Fighters Relief Association Funds. A ruling has been issued that fire fighters and police officer relief associations are no longer exempt from federal income taxation under Section 501.C(4) of the Internal Revenue Code. This action has been recinded, therefore there was no action required by the council at this time.

Schlagel moved, Ritter seconded, the adoption of RESOLUTION NUMBER 513, SECOND SERIES and that the reading of the same be waived. Resolution Number 513, Second Series is a resolution indicating the City of Marshall participation in improvements to Trunk Highway 19 (West College Drive) State Project No. 4204-24 in the City of Marshall from the Airport Road to Old Trunk Highway 23. All voted in favor of the motion.

Ritter moved, Schlagel seconded, the approval of change order no. 1 on Project No. BS 1981A with Duininck Bros & Gilchrist in the amount of \$45.70. This change order has an additional cost of \$1,329.50 for the work of removing excess gravel base and a deletion for aggregate base for the strengthening of \$1,283.80 for a net increase in the contract of \$45.70. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Schlagel moved, Breczinski seconded, that the Comprehensive Plan that was adopted be reviewed annually as it pertains to capital expenditures included in the annual budget and that the Comprehensive Plan have a complete review on a 5 year basis. All voted in favor of the motion.

Schlagel moved, Ritter seconded, the approval of a supplemental appropriation from contingency to the River-Diversion Channel account 4219.372 in the amount of \$3,250. This appropriation was for the repair on the North 7th Street bridge over the Diversion Channel. All voted in favor of the motion.

Schlagel moved, Kirchner seconded, the approval of the appointments to the following committees: Malcom Toby to the Planning Commission for a term to expire on 5-31-82; to the Housing and Redevelopment Authority, Mary Hauschild for a term to expire 12-5-82 and Robert Manke for a term to expire 12-5-84; Airport Commission,

REGULAR MEETING - DECEMBER 21, 1981 (CONT'D.)

Anne LaPorte for a term to expire 5-31-84; to the Human Rights Commission, Susan Aus for a term to expire 5-31-83 and Don Lennard for a term to expire 5-31-83 and Fern Hattis for a term to expire 5-31-84. All voted in favor of the motion.

Schlagel moved, Ritter seconded, and it was unanimously approved that the following bills be authorized for payment: LIQUOR FUND, Voucher No. 29761 through 29789; WASTEWATER FACILITIES FUND, Voucher No. 2688 through 2705; SPECIAL ASSESSMENT FUND, Voucher No. 187 through 196; PARKING SYSTEM FUND, Voucher No. 2582 through 2585; DEBT SERVICE FUND, Voucher No. 1582 through 1585; GENERAL FUND, Voucher No. 72658 through 72747.

The following building permits previously approved by the City Engineer were confirmed:

Slagel & Wambeke Inc.
415 South 4th Street
Section 4, Part of SW $\frac{1}{4}$
Partial Phase I of 12 unit
condominium, garage level
\$80,000

Salonek Concrete & Construction
Springfield, Minnesota
North Highway #23
Section 3, Part of NE $\frac{1}{4}$
Handicapped access retrofit
\$53,500

Minnesota Federal Savings & Loan
118 West College Drive
Blakes Addition, Block 3, Lot 2
and Part of 1 & 3
Free standing sign & flat signs
\$1,500

Bruce A. Rudd
306 East Redwood Street
Hoberts Addition, Block 2, Lot 1
Fireplace & Chimney
\$1,300

SWesta Builders Inc.
208 East College Drive
Original Plat, Block 13, Lot 1 - 5
Sorting Room, \$8,000

Dean Jorgenson
1001 South 2nd Street
Nielsen's 8th Addition, Block 2,
Lot 1
2 Bedrooms and $\frac{1}{2}$ bath in basement
\$2,000

Upon the recommendation of the Finance Director/City Clerk, Schlagel moved, Rogalski seconded, a supplemental appropriation for the remodeling of the receptionist area in the City Clerk's Office be added to the agenda. All voted in favor of the motion.

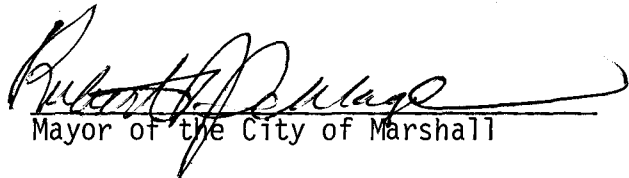
Ritter moved, Breczinski seconded, the approval of a supplemental appropriation from the contingency account of fiscal year 1982 General Fund Budget in the amount of \$1,500 to remodel the reception area of the City Clerk's Office. All voted in favor of the motion.

Duane Aden, City Engineer, reviewed with the council the Municipal State Aid Street System Program for 1981.

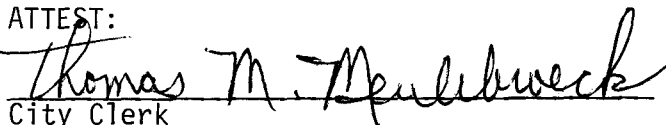
The 1982 para-transit grant for the City of Marshall Taxi System was discussed at this time and it was the general consensus of the council that the authorization for the proper city officials to execute this agreement be placed on the January 4, 1982 agenda.

City Attorney Brian Murphy requested that the Legislative and Ordinance Committee set a meeting to discuss the proposed cable TV ordinance.

Upon motion made by Schlagel, seconded by Ritter, the meeting was adjourned. All voted aye.


Mayor of the City of Marshall

ATTEST:


City Clerk

SPECIAL MEETING - DECEMBER 28, 1981

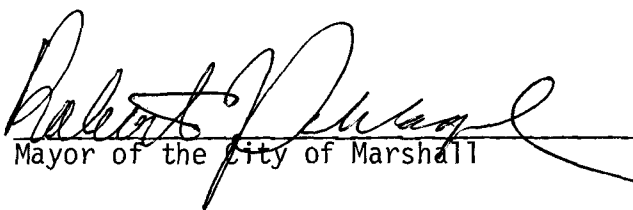
A special meeting of the Common Council of the City of Marshall was held on December 28, 1981. The meeting was called to order at 5 o'clock P.M. by Mayor Schlagel. In addition to the mayor the following members were present: Purrington, Ritter, Breczinski, Halter and Kirchner. Absent: Rogalski.

Schlagel moved, Ritter seconded, BE IT RESOLVED that the proper city officials be authorized to submit an application to the State Department of Transportation for a transportation grant for the year beginning January 1, 1982 in the amount of \$24,444. All voted in favor of the motion.

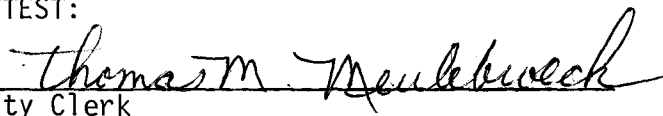
Schlagel moved, Ritter seconded, the request for a supplemental appropriation from contingency to the data processing account in the amount of \$24,100 and a transfer of \$6,000 from the salaries account within the data processing account to the operating account be placed on the agenda at this time. All voted in favor of the motion.

Schlagel moved, Breczinski seconded, the approval of a supplemental appropriation from contingency in the fiscal year 1982 budget in the amount of \$24,100 for the data processing account of which \$7,600 is for software, \$15,000 for programing and \$1,500 for paper and supplies and also approve the transfer in the fiscal year 1981 budget of \$6,000 from salaries to other improvements in the amount of \$4,600 and \$1,400 to operating expense. All voted in favor of the motion.

Upon motion made by Schlagel, seconded by Ritter, the meeting was adjourned. All voted aye.


Mayor of the City of Marshall

ATTEST:


City Clerk

REGULAR MEETING - JANUARY 4, 1982

The regular meeting of the Common Council of the City of Marshall was held on January 4, 1982. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the Mayor the following members were present: Purrington, Ritter, Breczinski, Halter and Rogalski. Absent: Kirchner.

Ritter moved, Breczinski seconded, the approval of the minutes of the regular meeting of the Common Council held on December 21, 1981 and the minutes of the special meeting held on December 28, 1981 as filed with each member. All voted in favor of the motion.

Be it noted the arrival of councilperson Kirchner.

Bids were received, opened and read at this time for garbage and sanitation service for the City of Marshall for the period beginning February 1, 1982 through January 31, 1983. The council had the option of accepting all or part of the bids that were received. Bids were received from Ritter's Sanitary Service Inc., Marshall, Minnesota and Richard Dwire Sanitation, Marshall, Minnesota as follows:

PROPOSAL A: <u>Location</u>	<u>Job Description</u>	<u>RITTER'S YEARLY FEE</u>	<u>RICH'S YEARLY FEE</u>
1. Wastewater Treatment Plant	Once every two weeks, one (1) one yard container	\$ 139.00	\$ 149.00
2. Main Sanitary Sewer Lift Station	Six days per week, Mon. thru Sat., one (1) one yd container	1,289.00	1,646.00
3. Fire Station	Once every two weeks (or as called) one (1) one yard cont.	51.00	150.00
4. Municipal Airport	Once a week, two (2) one yard containers	247.00	367.00

REGULAR MEETING - JANUARY 4, 1982 (CONT'D.)

<u>Location</u>	<u>Job Description</u>	<u>RITTER'S YEARLY FEE</u>	<u>RICH'S YEARLY FEE</u>
5. Street Department	Once per week, one (1) one yard container	\$ 229.00	\$ 389.00
6. Main Street between College Drive and 5th Street and 3rd Street between Main Street and Lyon Street	Ten (10) sidewalk containers, once (1) per week. Must be completed no later than 7 A.M. each day.	387.00	500.00
7. Municipal Liquor Store	Once per week, one (1) one yard container and a large number of empty corrugated cardboard boxes (possibly twice a week)	387.00	546.00
8. Legion Field Park	Four (4) times per week from April 1 to Oct. 31, one (1) 3 yard container	419.00	582.00
9. Leaves	All leaves that are removed from streets, alleys, parking lots; removed as needed from St. Dept., parking area or other prearranged locations		
	a. Price per load	0.00	35.00
	b. 20 estimated truck loads Price per load X 20	0.00	700.00
10. Municipal Building	Six days per week (Mon. - Sat.) several (3-6) 30 gal. containers	237.00	380.00
11. Additional Per Unit Bid	Per unit bids are requested for the following items in the event that additional units or services are required during the term of the contract at any of the above locations (based upon once a week pickup):		
	Each 30 gallon container	No more than	Same as charged
	Each 1 yard container	similar type	for each similar
	Each 3 yard container	containers at the same location	unit at each location
TOTAL OF PROPOSAL A		3,385.00	5,409.00

PROPOSAL B:

Schedule of price for total garbage collection for locations 1 thru 10 if the bidder is awarded all items 1 thru 10	3,385.00	5,100.00
---	----------	----------

Schlagel moved, Purrington seconded, the bid for garbage and sanitation service for the City of Marshall for the period February 1, 1982 through January 31, 1983 be awarded to Ritter's Sanitary Service, Inc., Marshall, Minnesota in the amount of \$3,385. All voted in favor of the motion, except Ritter who abstained.

Upon the recommendation of the Acting Director of Public Safety, Marv Bahn, and City Engineer, Duane Aden, Schlagel moved, Rogalski seconded, the bid for a 1982 police car be awarded to Southwest Ford for a Ford LTD Model "S" in the amount of \$7,284 along with the option for a larger engine size 351 cubic inch at an additional cost of \$164. All voted in favor of the motion.

REGULAR MEETING - JANUARY 4, 1982 (CONT'D.)

Purrington moved, Schlagel seconded, the approval of a transient merchants license for Olan Mills Inc., of Ohio to market retail photography portraits within the City of Marshall. All voted in favor of the motion.

City Attorney Brian Murphy reviewed with the council in detail an ordinance repealing the ordinance providing for the creating and awarding of Cable Television Franchise in the City of Marshall, Minnesota and providing for the rules governing and operating of the same. The ordinance that is in effect was adopted on May 21, 1962 and was to be for a period of 25 years. Due to a new state regulation such an ordinance may not be for a period longer than 15 years but may be for a period of less than 15 years. There was some concern expressed by the council members in regard to a Citizens Advisory Board as referred to in Section 3.24. Mr. Don Bottelberghe of the Marshall Cable TV was in attendance at the meeting and expressed his concern on the ordinance and indicated to the council that if such an ordinance were adopted to provide for a Citizens Advisory Board that such a board should be established 2 years prior to the expiration of the franchise. Upon the recommendation of the Legislative and Ordinance Committee, Rogalski moved, Purrington seconded, the introduction of an ordinance to repeal an ordinance providing for the creating and awarding of Cable Television Franchise in the City of Marshall, Minnesota and providing for the rules governing and operating of the same. Mr. Murphy indicated to the council that the rates are set by ordinance or resolution as referred to in Section 3.06, Subdivision 3. All voted in favor of the motion.

Purrington moved, Breczinski seconded, the approval of an appropriation from the Parking Fund Budget Reserve to the Parking Meter Fund Salaries in the amount of \$3,700 for the continuation of the employment of the part-time position to process parking meter tickets and warrants. This position is to be funded up to a year or less if the processing can be performed by computer operation. All voted in favor of the motion.

A brief discussion was held at this time on the possibility of the members of the council and/or the City of Marshall Department Heads having general discussion type council session, possible retreats, informational and policy development sessions to discuss items of interest and concern to the members. It was the general consensus of the council that these type of sessions should be considered.

Schlagel moved, Ritter seconded, and it was unanimously approved that the following bills be authorized for payment: WASTEWATER FACILITIES FUND, Voucher No. 2706 through 2730; SPECIAL ASSESSMENT FUND, Voucher No. 197; REVENUE SHARING FUND, Voucher No. 212; DEBT SERVICE FUND, Voucher No. 1586 through 1589; PARKING SYSTEM FUND, Voucher No. 2586 through 2592; LIQUOR FUND, Voucher No. 29790 through 29824 and GENERAL FUND, Voucher No. 72748 through 72821.

The following building permit previously approved by the City Engineer was confirmed:

Jerry Martinek
503 Hawthorn Drive
Southview 2nd Subdv., Block 3, Lot 9
Family room in basement, \$1,500

Councilperson Purrington expressed some concern that the City of Marshall should be considering alternatives for communicating better with the general public such as including some news related items in the brochure that is sent out by the Park & Recreation Department.

Councilperson Ritter expressed a concern to work with other city officials in looking at alternatives for constructing a park maintenance warehouse and warming house to replace the current facility that was destroyed by fire.

A Transportation Committee meeting was set for 12 o'clock noon on January 19, 1982 at the Hanging Forest.

Councilperson Breczinski was concerned about House File 1545 in the current legislative bulletin referring to: that no arrest warrants will be allowed for parking violations. It was the general consensus of the council that they be provided with a complete reading of this bill before they take a position on it.

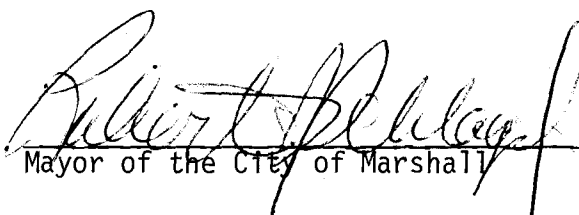
Councilperson Breczinski was also concerned about the commuter service provided by Midwest Aviation. It was his recommendation that this be investigated by the Airport Commission.

REGULAR MEETING - JANUARY 4, 1982 (CONT'D.)

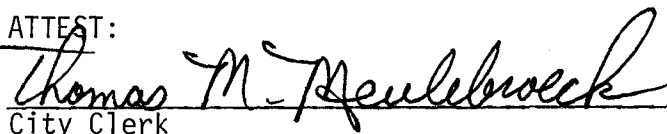
The Personnel Committee meeting was set for January 6, 1982 at 6 o'clock P.M. in the Conference Room of the Marshall Municipal Building.

Councilperson Kirchner expressed her concern to have information meetings for the council members to discuss such items as the: 51 acre park, the replacing of the warehouse and warming house at Legion Field, discussing the airport and other such related items.

Upon motion made by Schlagel, seconded by Ritter, the meeting was adjourned. All voted in favor of the motion.


Mayor of the City of Marshall

ATTEST:


City Clerk

REGULAR MEETING - JANUARY 18, 1982

The regular meeting of the Common Council of the City of Marshall was held on January 18, 1982. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the mayor the following members were present: Purrington, Ritter, Breczinski, Halter, Rogalski and Kirchner. Absent: none.

Rogalski moved, Breczinski seconded, the approval of the minutes of the regular meeting of the common council held on January 4, 1982 as filed with each member. All voted in favor of the motion.

Mr. Craig Lambert, Ambulance Director, was in attendance at the meeting to discuss with the council the service rates and salaries for the ambulance system for fiscal year 1982. Mr. Lambert felt the rates and salaries that were being proposed were the median in comparing with other communities in this area.

Schlagel moved, Rogalski seconded, the following rates and salaries for the City of Marshall Ambulance Service be approved: local run, which is any run originating in the ambulance district going to Weiner Memorial Medical Center, \$85.00; a non local run, which is any run going out of the ambulance district for pickup or delivery, \$85.00 plus \$3.00 per mile; a transfer to and/or from Weiner Memorial Medical Center is \$70.00 plus \$3.00 per mile; a transfer to and from other medical center is \$80.00 plus \$3.00 per mile; a non-resident charge on local runs only is \$15.00; an extra attendant charge on transfers only is \$75.00; oxygen mask or cannula included is \$15.00 plus \$2.00 per liter flowed; any run requiring special treatment or equipment will be billed the standard rate plus any special equipment or service charges. The salaries were approved for week days at \$1.00 per stand-by hour, which is from Sunday at 7:00 P.M. to Friday at 7:00 P.M. Weekend stand-by time is \$2.00 per hour, which is from Friday at 7:00 P.M. to Sunday at 7:00 P.M. All voted in favor of the motion.

Purrington moved, Breczinski seconded, the adoption of RESOLUTION NUMBER 514, SECOND SERIES and that the reading of the same be waived. Resolution Number 514, Second Series is a resolution revoking Municipal State Street. This resolution revokes West Marshall Street from College Drive to North 3rd Street as a Municipal State Aid Street. By revoking this one block segment the entire section of Legion Field Road and 10th Street from Kendall to West Main Street will be designated as Municipal State Aid Street. All voted in favor of the motion.

A discussion was held at this time on the relocating of 2 reserved parking spaces for the handicapped from South 4th Street to 244 West Main Street for R.E.A.L. Inc. Concern was expressed by the council members in regard to the nature of business being performed on Main Street in comparison to that being performed on 4th Street, the safety of handicapped individuals having reserved parking on Main Street, and the precedent that would be set by allowing 2

REGULAR MEETING - JANUARY 18, 1982 (CONT'D.)

handicapped stalls in front of 1 business. Alternatives were discussed as to where 2 handicapped parking stalls shall be placed: such as 2 on Main Street; 1 on Main Street and 1 on 3rd Street; or 2 on 3rd Street. Rudy Caron, the manager of Wee Moderns, was not in favor of having 2 handicapped parking spaces on Main Street which would interfere with the parking of people doing business at his location. He was not aware if other surrounding business places had been informed of the request for 2 handicapped parking spaces on Main Street. Schlagel moved, Halter seconded, the request from R.E.A.L. Inc., to relocate to reserved handicapped parking spaces to 244 West Main from South 4th Street be postponed until this request is further discussed with surrounding business of where they intend to be located on West Main Street. All voted in favor of the motion.

Schlagel moved, Ritter seconded, the approval of an annual on-sale beer license for the American Legion Post #113. All voted in favor of the motion.

Mr. Duane Aden, City Engineer, reviewed with the council the final plat of Slagel and Wambeke Addition. Mr. Aden did indicate to the council that this plat was in conformance with the City of Marshall Ordinance requirements. Purrington moved, Ritter seconded, the adoption of RESOLUTION NUMBER 515, SECOND SERIES and that the reading of the same be waived. Resolution Number 515, Second Series is a resolution approving the final plat for Slagel and Wambeke Addition. All voted in favor of the motion.

Mr. Ron Jensen, Administrator of Weiner Memorial Medical Center, was in attendance at the meeting to discuss with the council the 1981 audit for the hospital and nursing home operations.

Rogalski moved, Breczinski seconded, the adoption of RESOLUTION NUMBER 516, SECOND SERIES and that the reading of the same be waived. Resolution Number 516, Second Series is a joint resolution of the Township of Lake Marshall and the Township of Fairview and the City of Marshall designating unincorporated areas as in need of orderly annexation and conferring jurisdiction over said area to and upon the Minnesota Municipal Commission. When this resolution has been executed by the proper city officials of the City of Marshall it is to be forwarded to the Board of Commissioners of Lyon County for their approval. All voted in favor of the motion.

A discussion was held at this time on the supplemental appropriation for the Data Processing Account for programming modifications to the payroll and financial package of the Phase I Computer Program. James Heller, City Administrator, in a letter dated December 11, 1981 addressed some areas of concern on the payroll and budgetary program functions that he felt were critical to the successful operation of a computer program for the City of Marshall. Tele-Terminals has agreed to make these modifications at a cost of \$4,000. Mr. Heller indicated to the council that the next phase in computerizing and requesting for a supplemental appropriation would probably be in the area of word processing. Breczinski moved, Schlagel seconded, the approval of a supplemental appropriation from the contingency to the Data Processing Account in the amount of \$4,000 for programming modifications to the payroll and financial package of Phase I Computer Program. All voted in favor of the motion, except Halter and Kirchner who voted no.

Purrington moved, Breczinski seconded, the approval of a supplemental appropriation from the contingency to the Street Department in the amount of \$39,550 to allow for the transfer of 2 positions from the Wastewater Treatment Fund to the General Fund. The \$39,550 includes \$34,000 for salaries; city cost of FICA of \$2,280, PERA \$1,870, Dental Insurance \$230, Health Insurance \$1,070, and Life Insurance \$100. These 2 maintenance worker positions from the Street Department were included in the Wastewater Treatment Plant budget to compensate for the work that the Street Department does on the Sanitary Sewer collection system and other types of costs that are incurred by the general fund. All voted in favor of the motion. The intent of this action is to have the Wastewater Enterprise Fund reimburse the General Fund after the end of the year when actual costs are determined.

Schlagel moved, Kirchner seconded, the approval of a supplemental appropriation from the contingency to the Finance Department in the amount of \$4,680 to allow for the hiring of a temporary clerical position. All voted in favor of the motion.

Councilperson Rogalski, Chairman of the Personnel Committee of the City of Marshall, discussed with the council various items that were discussed at the personnel committee meeting held on January 13, 1982. The pay plan for the City of Marshall was discussed and it was the general feeling of the council members that the pay plan needs to be reviewed in detail, possibly by some professional company and that maybe some salary surveys should be taken and that some consideration

REGULAR MEETING - JANUARY 18, 1982 (CONT'D.)

be given to see how the City of Marshall employees salaries compare with that of the market. Rogalski moved, Purrington seconded, the pay plan for the City of Marshall be increased by 8% effective January 1, 1982; an in-house review be done of the clerical positions within the pay plan of the City of Marshall; and that the proper city officials of the City of Marshall investigate to see what is available in the area of surveys with surrounding cities and locally to be reviewed with the City of Marshall pay plan all at no cost of the city. Schlagel, Purrington, and Rogalski voted in favor of the motion. Ritter, Breczinski, Halter and Kirchner voted no. The motion was defeated.

Purrington moved, Schlagel seconded, the increasing of the pay plan by 8%, the reviewing of the clerical classifications and the investigating of surveys with surrounding cities and locally be referred to the Personnel Committee. All voted in favor of the motion, except Rogalski who voted no.

The Personnel Committee recommended a number of increases for the City of Marshall employees. Councilperson Purrington was concerned about granting a number of employees merit increases when the City of Marshall is not using the merit system. Upon the recommendation of the Personnel Committee, Kirchner moved, Schlagel seconded, the approval of the following salary increases: Michael Leese, Police Sergeant, \$1,832 per month to \$1,909 per month effective January 13, 1982; Lowell Rademacher, Police Sergeant, \$1,851 per month to \$1,909 per month effective January 13, 1982; and Gary Johnson, Police Sergeant, \$1,832 per month to \$1,909 per month effective January 13, 1982. All voted in favor of the motion.

Upon the recommendation of the Personnel Committee, Rogalski moved, Schlagel seconded, the approval of the following increases effective January 13, 1982: Thomas Polfliet, Senior Park Maintenance Worker from \$1,563 per month to \$1,610 per month; Joseph Blanchette, promotion from Maintenance Worker to Senior Street Maintenance Worker increase from \$1,222 per month to \$1,260 per month; Michael Phillippi, Maintenance Worker from \$1,191 per month to \$1,215 per month; Kim Jergenson, Engineering Technician from \$1,418 per month to \$1,450 per month; James Thompson, Maintenance Worker from \$1,202 per month to \$1,226 per month; Daryl Fredrichs, Wastewater Treatment Plant Operator I from \$1,240 per month to \$1,260 per month; Carrie Dorrance, Wastewater Treatment Plant Lab Tech. from \$1,340 per month to \$1,390 per month; Stanley Serreyn, Wastewater Treatment Plant Assistant Superintendent from \$1,671 per month to \$1,685 per month. All voted in favor of the increase, except Purrington who voted no.

Rogalski moved, Kirchner seconded, the city administrator be authorized to do a review on the clerical positions within the City of Marshall pay plan. All voted in favor of the motion.

Upon recommendation of the Personnel Committee, Schlagel moved, Rogalski seconded, Cal Barnett, City Assessor, be given a 6% increase which would increase his salary from \$2,333 per month to \$2,473 per month effective January 13, 1982 and Jullo Kor, Public Works Superintendent a 5% increase which increases his salary from \$2,061 per month to \$2,164 per month effective January 13, 1982. All voted in favor of the motion.

Ritter moved, Schlagel seconded, and it was unanimously approved that the following bills be authorized for payment: PARKING SYSTEM FUND, Voucher No. 2593 through 2597; REVENUE SHARING FUND, Voucher No. 213 through 215; WASTEWATER FACILITIES FUND, Voucher No. 2731 through 2750; LIQUOR FUND, Voucher No. 29825 through 29846; DEBT SERVICE FUND, Voucher No. 1590 through 1591; SPECIAL ASSESSMENT FUND, Voucher No. 198 through 201; GENERAL FUND, Voucher No. 27822 through 27915.

The following building permits previously approved by the City Engineer were confirmed:

Michael Schroeder
1006 Silvervine Drive
Southview 2nd Subdivision, Block 3
Lot 12, Deck and finish basement
\$1,400

David & Steve Meyer
208 South Fifth Street
A Addition, Block 8, Part of Lot 12
Remodeling apartments, \$2,500

Robert L. Carr Company
112 South 6th Street
Section 4, Part of NW¼ of SW¼
Wall demolition, \$9,700

REGULAR MEETING - JANUARY 18, 1982 (CONT'D.)

Purrington moved, Rogalski seconded, the renovation of the Lyon County Fairground race track be placed on the agenda at this time. All voted in favor of the motion.

Councilperson Purrington reported to the council that upon request of the Lyon County Fairboard, the Lyon County Commissioners approved racing at the Lyon County Fairgrounds for 2 days during the time in which the Lyon County Fair is in session. Purrington moved, Kirchner seconded, the proper city officials be authorized to request from the Lyon County Commissioners their plans and specifications for their modifications and/or improvements to the Lyon County Fairgrounds race track to give the City of Marshall the opportunity to verify the modifications and improvements to see that they are in conformity with the City of Marshall zoning ordinance. All voted in favor of the motion.

Councilperson Breczinski requested that the city administrator submit a copy of a letter received from Craig Lambert, Ambulance Director, recognizing Scott Campbell and Barry Swanson for their performance, to the local paper to be published

Upon request of Councilperson Breczinski and the general consensus of the council the city administrator was requested to direct a letter to the local representatives and governor expressing the City of Marshall's opposition to House File 1545 in the current legislative bulletin referring to: that no arrest warrants will be allowed for parking violations.

Councilperson Breczinski was concerned about the current increases for the Marshall Municipal Utilities and the proposed increases and was concerned about acquiring information from the local utilities on these increases. Councilperson Breczinski was assured that the City Council of the City of Marshall can request information from the Marshall Municipal Utilities on rate increases.

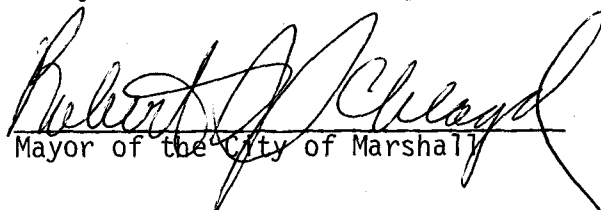
Councilperson Rogalski was concerned about snow removal procedures and was concerned about a more economic way of plowing the streets and the removing of the snow birds. Mr. Duane Aden, City Engineer, assured him that the city does have ordinances at the current time for the handling of snow removal and snow birds.

Councilperson Kirchner relayed an invitation to the City Council members from the Marshall Lyon County Library to an open house to be held on January 31, 1982 at 3:30 P.M.

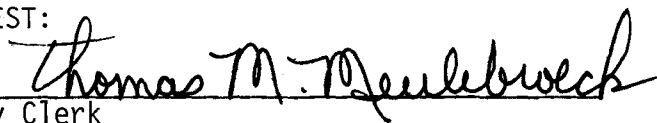
A brief discussion was held at this time on the local government aid to be received by the City of Marshall. The finance director had been in receipt of a letter indicating that the local government aid for November and December, 1981 would possibly be received about February 26, 1982. It was stated that the 1982 local government aid would be reduced by approximately \$90,000 from that of 1981.

City Administrator Jim Heller indicated to the council that a meeting had been set for January 25, 1982 at 7 o'clock P.M. to discuss with the council the activities of the Park & Rec Department and to discuss the applications received for the Director of Public Safety Position.

Upon motion made by Schlagel, seconded by Ritter, the meeting was adjourned. All voted in favor of the motion.


Mayor of the City of Marshall

ATTEST:


City Clerk

REGULAR MEETING - FEBRUARY 1, 1982

The regular meeting of the Common Council of the City of Marshall was held on February 1, 1982. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the mayor the following members were present: Purrington, Ritter, Halter, Rogalski, and Kirchner. Absent: Breczinski.

Purrington moved, Kirchner seconded, the approval of the minutes of the regular meeting of the Common Council held on January 18, 1982 as filed with each member. All voted in favor of the motion.

Quotations were received, opened and read at this time for the television inspection of sanitary and storm sewer pipes within the City of Marshall. The quotations received, opened and read were from: Plaunt & Anderson Co., Duluth, Minnesota, \$6,000; Viking Pipe Services Co., Bemidji, Minnesota, \$3,150; Solidification Inc., Minneapolis, Minnesota, \$3,600; PSG American Consulting Services, Minneapolis, Minnesota, \$3,970; and Midwest Underground Inspections, Isanti, Minnesota, \$3,000.

Quotations were received, opened and read for the utility room remodeling at the airport administration building. Quotations received, opened and read were from: SWesta Builders, Inc., Marshall, Minnesota, \$2,200; Space Development Co., Marshall, Minnesota, \$3,300 and Slagel & Wambeke, Inc., Marshall, Minnesota, \$2,372.

The third series of quotations received, opened and read were for the window replacement at the airport administration building. The quotations received, opened and read were from: French Glass Co., Marshall, Minnesota, \$1,894; and Viking Glass, Marshall, Minnesota, \$2,850.

Schlagel moved, Rogalski seconded, the quotation for television inspection of sanitary and storm sewer pipes within the City of Marshall be awarded to Midwest Underground Inspection, Isanti, Minnesota, in the amount of \$3,000 and that this is to be paid out of Revenue Sharing Funds. That the quotation received for the utility remodeling at the airport administration building be awarded to SWesta Builders, Inc., Marshall, Minnesota in the amount of \$2,200 and the quotation for the window replacement at the airport administration building be awarded to French Glass, Marshall, Minnesota in the amount of \$1,894. All voted in favor of the motion.

Roger Simon, Executive Director of R.E.A.L. was in attendance at the meeting to discuss with the council a request for two handicapped parking spaces on Main Street near 244 West Main. Mr. Simon indicated to the council that R.E.A.L. serves cliental for the Southwestern Minnesota area and that he felt strongly about having 2 handicapped parking stalls in front of their location. There was no reaction from the business in this area to allow two stalls for handicapped parking. Ritter moved, Purrington seconded, the end parking stall on the North side of Main Street prior to the intersection with Third Street and the first parking stall on the East Side of Third Street at the intersection of Main Street and Third Street be reserved for handicapped parking. All voted in favor of the motion.

A discussion was to be held at this time with the Marshall Industries Foundation concerning the possibilities of land option purchase agreements and the use of various municipal bonds. Mr. Greg Cattoor, a representative from the Marshall Industries Foundation was in attendance at the meeting and indicated to the council the negotiations were going well at this time with the Minnesota Corn Producers Co-op and requested that the discussion be tabled at this time to allow for more details to be worked out with the Minnesota Corn Producers Co-op. Purrington moved, Schlagel seconded, the discussion with the Marshall Industries Foundation and the Minnesota Corn Producers Co-op concerning the possibilities of land option purchase agreements and the use of various municipal bonds be tabled at this time. All voted in favor of the motion.

Ritter moved, Rogalski seconded, the proper city officials for the City of Marshall be authorized to enter into a use agreement with Southwest State University for the use of a M & E Snow Blower. All voted in favor of the motion.

Rogalski moved, Purrington seconded, the proper city officials be authorized to enter into contracts for ambulance service with the townships surrounding the City of Marshall. The townships will be assessed \$2.78 per capita per year according to the last Federal census. The rate to be used in these contracts was established at the January 18, 1982 meeting. These contracts are to be for the period January 1, 1982 through April 30, 1983. All voted in favor of the motion.

REGULAR MEETING - FEBRUARY 1, 1982 (CONT'D.)

Mr. Duane Aden, City Engineer, presented to the Council a potential list of streets to be included in the 1982 improvement project. To the proposed list were added improvements to Erie Road, Glen Street, Simmons Street and Peltier Street, and Southview Drive from 1st Street to Saratoga Street; storm sewer for the site of the Wastewater Treatment Ponds 2 & 3 and for Country Club Drive were added to the proposed list. Purrington moved, Ritter seconded, the adoption of RESOLUTION NUMBER 517, SECOND SERIES and that the reading of the same be waived. Resolution Number 517, Second Series is a resolution ordering the preparation of the Engineer's Feasibility Report on the 1982 improvement projects. All voted in favor of the motion.

Due to the merger of Lyon County Federal Savings & Loan Association to the Minnesota Federal Savings & Loan Association, Rogalski moved, Kirchner seconded, the adoption of RESOLUTION NUMBER 518, SECOND SERIES and that the reading of the same be waived. Resolution Number 518, Second Series is a resolution designating the legal depositories for the City of Marshall. All voted in favor of the motion.

Mr. Duane Aden, City Engineer, reviewed with the council the City of Marshall's snow removal operations. Mr. Aden indicated that there are 11 employees from the Street Department, 2 from the Park Maintenance Department, 1 from the Airport and sometime the Engineer Technician who are involved in the snow removal operation. Mr. Aden briefly discussed with the council the process that is usually used in the removal of snow. Mr. Aden indicated to the council that as of year to day \$13,000 has been expended for direct costs such as fuel & maintenance; \$10,000 for salaries and approximately \$54,000 would have been spent if they were to rent the equipment that is needed for the City of Marshall snow removal.

Schlagel moved, Purrington seconded, the adoption of RESOLUTION NUMBER 519, SECOND SERIES and that the reading of the same be waived. Resolution Number 519, Second Series is a resolution amending the Personnel Policy for the City of Marshall. This amendment to the Personnel Policy provides that all full time employees shall receive bi-annual cost of living salary adjustments every 6 months effective on the first day of the pay period closest to but not later than March 1st and September 1st of each year except where pay or job performance justifies otherwise. All voted in favor of the motion, except Kirchner who voted no.

A discussion was held at this time on the selection process for the position of Director of Public Safety. It was the general consensus of the council that interviews would be held on February 17 & 18, 1982 beginning at 6 o'clock P.M. with a 1 hour interview for each applicant. Mr. Jim Heller, City Administrator, is to provide the council with a list of standardized questions that will be asked of all individuals being interviewed.

Schlagel moved, Ritter seconded, the next regular meeting of the City Council be set for Tuesday, February 16, 1982 at 7:30 P.M. All voted in favor of the motion.

Schlagel moved, Ritter seconded, the approval of the officers elected to the Marshall Volunteer Fire Department on January 13, 1982 which is as follows: Chief, Ed Scheele; Assistant Chief, Kenneth Versaevell; 1st Assistant Chief, Michael Thompson; President, James VanHyfte; Vice-President, Thomas Polfliet; Secretary, Dale Boerner; Treasurer, Arthur Matthys; Trustee, 3 years, Gary Rose, Michael Boedgieheimer; and Examiners, Steve Ritter and Don Brewers. All voted in favor of the motion.

Rogalski moved, Purrington seconded, and it was unanimously approved that the following bills be authorized for payment: LIQUOR FUND, Voucher No. 29847 through 29869; REVENUE SHARING FUND, Voucher No. 216; SPECIAL ASSESSMENT FUND, Voucher No. 202; PARKING SYSTEM FUND, Voucher No. 2598 through 2605; WASTEWATER FACILITIES FUND, Voucher No. 2751 through 2766; GENERAL FUND, Voucher No. 72916 through 73007.

The following building permit previously approved by the City Engineer was confirmed:

Slagel & Wambeke Inc.
233 North Hill Street
Schutz Addition, Block 2, Lot 3 & 4
Bathroom, \$8,000


REGULAR MEETING - FEBRUARY 1, 1982 (CONT'D.)

It was the general consensus of the council that they would be available to meet with the Cottonwood River Basin Association Board and the Lyon County Commissioners on February 9, 1982 at 7:30 P. M. to discuss the flooding problem along the Cottonwood and Redwood Rivers.

Upon motion made by Schlagel, seconded by Ritter, the meeting was adjourned. All voted aye.


Mayor

ATTEST:


City Clerk

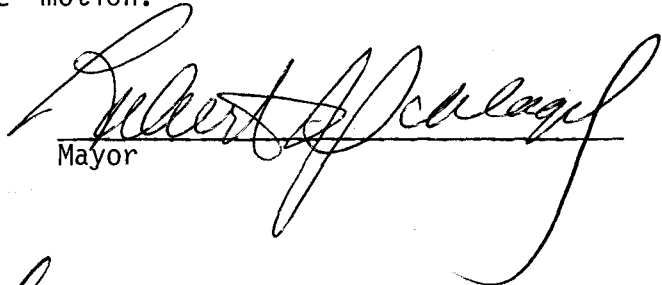
SPECIAL MEETING - FEBRUARY 8, 1982

A special meeting of the Common Council of the City of Marshall was held on February 8, 1982. The meeting was called to order at 5:30 P.M. by Mayor Schlagel. In addition to the Mayor the following members were present: Purrington, Ritter, Halter and Rogalski. Absent: Breczinski and Kirchner.

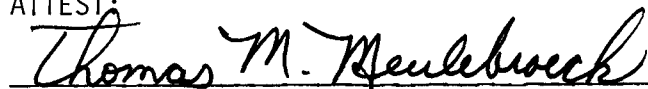
The purpose of this special meeting was to consider a lease between the Weiner Memorial Medical Center and Dr. Jack Wilson an orthodontist to rent space in an unfinished part of the ambulatory care center to conduct a practice from 1 to 2 days a week.

Rogalski moved, Ritter seconded, the proper officials be authorized to enter into a lease agreement between the Weiner Memorial Medical Center and Dr. Jack Wilson an orthodontist to rent space in the ambulatory care center at a rate of \$4.34 per square foot of space per year which does not include maintenance fees, energy costs, insurance, taxes and other miscellaneous expenses. Dr. Wilson will be leasing approximately 1,000 square feet. This agreement is for a 3 year period with the option of 2 consecutive 3 year agreements for a total of 9 years. All voted in favor of the agreement.

Upon motion made by Purrington, seconded by Rogalski, the meeting was adjourned. All voted in favor of the motion.


Mayor

ATTEST:


City Clerk

REGULAR MEETING - FEBRUARY 16, 1982

The regular meeting of the Common Council of the City of Marshall was held on February 16, 1982. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the mayor the following members were present: Purrington, Ritter, Breczinski, Halter, Rogalski and Kirchner. Absent: none.

Rogalski moved, Ritter seconded, the approval of the minutes of the regular meeting of the Common Council held on February 1, 1982 and the special meeting of the Common Council held on February 8, 1982 as filed with each member. All voted in favor of the motion.

Bids were received at 10:30 A.M. on Tuesday, February 16, 1982 for the employees group insurance for the City, Utilities Commission and Library employees in the area of life, dental and health insurance coverage. Ms. Lucy Reinhart a representative from Corporate Risk Inc., insurance consultants for the City of Marshall was in attendance at the opening of the bids and did review the bids. The bids received, opened and read were as follows:

<u>Health Insurance</u>	Single Coverage Per Month	Family Coverage Per Month
Blue Cross - Blue Shield	\$47.20	\$139.35
Alternative Bid for \$300 Deductible	43.44	128.91
Time Insurance	58.30	152.60
Prudential Insurance Co.	58.08	149.18
Alternative Bid for \$300 Deductible	59.44	176.94

Life & AD & D Insurance - The rates are at a rate per \$1,000 of coverage

Equitable Life Assurance Company, \$1.04 with dependent life rate of .60

Time Insurance Company, .64 with dependent life rate of .81 (requires \$5,000 life insurance per employee)

Prudential Life Insurance, .87½ with dependent life rate of .30

Western State, .73 with dependent life rate of .55

Security Life, .85 with dependent life rate of .58

Minnesota Mutual, .65 with dependent life rate of .56

Minnesota Mutual, .61 with dependent life rate of .47

American Family Life Insurance, .62 with dependent life rate of .57

Long Term Disability

Equitable at .74 per \$100 of earnings

<u>Dental Insurance</u>	Single Coverage Per Month	Family Coverage Per Month
Delta Dental	\$ 8.80	\$29.95
Time Insurance	10.25	27.05
Prudential Insurance	10.28	32.22
Sun Life	10.31	29.97

Ms. Lucy Reinhart was in attendance at the meeting and indicated to the council some of the bids did not meet the specifications and that there was one bid received for Long Term Disability from Equitable Life and that they would not be willing to be awarded the Long Term Disability separate from their life insurance bid. She also indicated to the council that a \$1,500 monthly long term disability benefit was included in the specification and it was indicated from Equitable Life Assurance that the .74 per \$100 of earnings would be the same cost as for the \$1,000 monthly long term disability benefit as was included in the original bid.

REGULAR MEETING - FEBRUARY 16, 1982 (CONT'D.)

Upon the recommendation of Ms. Lucy Reinhart of Corporate Risk Insurance, Purrington moved, Ritter seconded, the bid for health insurance be awarded to Blue Cross - Blue Shield at a rate of \$47.20 per month for single coverage and \$139.35 per month for family coverage; to Delta Dental for dental insurance at a rate of \$8.80 per month for single coverage and \$29.95 per month for family coverage; and the bid for Life, Accidental Death and Long Term Disability be awarded to Equitable Life Assurance at a rate of \$1.04 per \$1,000 of life insurance coverage and .60 for dependent life coverage, and the long term disability be .74 per \$100 of earnings. All voted in favor of the motion.

Rogalski moved, Schlagel seconded, the cost sharing between the employer and the employee of the new insurance rates be referred to the Personnel Committee. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Schlagel moved, Purrington seconded, the approval of the 5 year renewal for a home occupation conditional use permit for Mr. Randy Wagner of 207 East Main Street for a taxidermy business. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Schlagel moved, Breczinski seconded, the approval of a 5 year renewal for a home occupation conditional use permit to Mr. Roy Barrett, 1108 Washington Street, for a locksmith business. All voted in favor of the motion.

A discussion was held at this time on a request from Sandy Crow to rezone the proposed Airwest Acres from I-1 Limited Industry to I-2 General Industry. This request had been denied by the Planning Commission. Mr. Sandy Crow was in attendance at the meeting and did request that the application to rezone proposed Airwest Acres from I-1 Limited Industry to I-2 General Industry be referred back to the Planning Commission to be reconsidered. Purrington moved, Ritter seconded, the application to rezone Airwest Acres from I-1 Limited Industry to I-2 General Industry be referred back to the Planning Commission. All voted in favor of the motion, except Rogalski who voted no.

An application was received at this time from Southwest Ford-Lincoln-Mercury Sales Inc., for a motor vehicle towing and storage license. Mr. Heller, City Administrator, did indicate to the council this application did meet the license requirements. Mr. Brian Murphy, City Attorney, did have some questions as to whether it met the zoning requirements. It was the request of the City Attorney that this application be referred to the applicant and suggest that he get a conditional use permit designating the location of the outside storage and the type of security and screening of the fenced-in area which will be used for the storage of cars. Purrington moved, Ritter seconded, the application be referred back to the applicant and that he apply for a conditional use permit to meet the zoning requirements. All voted in favor of the motion.

Mr. Arne Carlson, State Auditor, State of Minnesota, and Ms. Beth Sullivan Director of the Minnesota Financial Health Program, were in attendance at the meeting to discuss with the council financial planning and to help to detect early signs of fiscal stress. Mr. Carlson indicated to the council that the City of Marshall is in good financial condition and that the city should consider consulting their bond counsel to see what they have to do to improve their bond rating, since the City of Marshall is in such good financial condition.

Rogalski moved, Ritter seconded, the proper city officials be authorized to execute amendment no. 1 to the agreement no. 60753 between the City of Marshall and the Minnesota Department of Transportation for para-transit service. This amendment allows the City of Marshall to acquire a 1979 Chevy Sport Van for its taxi service in the amount of \$152.58. All voted in favor of the motion.

The City of Marshall is in receipt of an application for an on-sale liquor license from Randolph Lynn Parde and Louis Paul Seesz DBA The Four Seasons, located at 1420 East College Drive, Marshall Square, Marshall, Minnesota. Schlagel moved, Ritter seconded, a public hearing be held on March 1, 1982 at 7:30 P.M. at the regular council meeting to consider the application for an on-sale liquor license for Randolph Lynn Parde and Louis Paul Seesz DBA The Four Seasons, 1420 East College Drive, Marshall Square, Marshall, Minnesota. All voted in favor of the motion.

Purrington moved, Schlagel seconded, the introduction of an ordinance authorizing the proper city officials to execute a quit claim deed to Marshall Foods Inc., for certain real estate owned by the City of Marshall. The property being referred to in this ordinance is part of Lot 1 & 2, Block 7 of Stewart & Jenkins Addition to the City of Marshall. This property may have been incorrectly

REGULAR MEETING - FEBRUARY 16, 1982, (CONT'D.)

dedicated to the city 40 years ago with the express condition that the land be used for street or public right-of-way purposes and that in case of the discontinuance of such use the title should be returned to the original grantors. The area is not or never has been used for street purposes. All voted in favor of the motion.

Schlagel moved, Purrington seconded, that the proper city officials be authorized to execute an agreement as to airport acquisitions: WHEREAS, the City of Marshall desires to acquire land and/or clear zones for airport development; and WHEREAS, Minnesota Statute 360.305 provides that the state may reimburse the City of Marshall for a portion of this acquisition, cost incurred and paid in acquiring land and/or clear zones for its airport; NOW THEREFORE, BE IT RESOLVED that the Mayor, City Administrator and City Clerk be in the same are hereby authorized and directed to execute the state contract no. 1473 and all amendments thereto as to airport acquisitions costs on behalf of said City of Marshall and to execute and affix their signatures to any and all further documents and amendments pertinent thereto. With this agreement the state will participate up to 2/3 or \$250,000 to acquire land and/or clear zones for airport development through the period June 30, 1982. With this agreement Cal Barnett, City Assessor, will perform the first appraisal on the affected parcels of property, the Minnesota Department of Transportation will perform the second appraisal on the affected parcels of property. It was the general consensus of the council that the property owners in the area, referred to as Zone A of the airport, be informed as to what is and what may happen to the property in this area. There are some council members that felt we should not proceed with anything on the acquisition on this property or clear zones for airport development at this time due the financial unrest within the State of Minnesota. It was also the general consensus of the council that the proper city officials be authorized to proceed with the negotiations on the acquisition of this property. All voted in favor of the motion, except Rogalski and Halter who voted no.

Mr. Duane Aden, City Engineer, reviewed with the council the Engineer's Feasibility Report on the public improvement projects for construction in 1982. It was the recommendation of City Engineer Duane Aden that the improvements on Southview Drive be postponed until the property has been properly annexed into the City of Marshall. Mr. Aden also informed the council that 1/2 of the costs for improving Erie Road would be absorbed by the prospective developer for that area and the other half would be absorbed by the City of Marshall and would probably be funded through tax increment financing. Rogalski moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 520, SECOND SERIES and that the reading of the same be waived. Resolution Number 520, Second Series is a resolution accepting the Engineer's Feasibility Report and calling for a hearing on 1982 improvements. This hearing has been set for March 15, 1982. All voted in favor of the motion.

A discussion was held at this time on the Dutch Elm Disease Control Program for fiscal year 1982. There will be no state subsidy for this program in 1982, therefore it was the time for the city to decide if they wanted to get involved in the removal and/or replacement of trees. It was the general consensus of the council that when letters are sent to property owners informing them they have a dutch elm tree to be removed that they receive competitive bids for the removal of the trees. Kirchner moved, Ritter seconded, the proper city officials be authorized to reimburse property owners 30% up to and not to exceed \$75.00 for the removal of dutch elm trees and this procedure be applied until \$10,000 has been spent out of the amount budgeted in 1982 for the dutch elm program. A discussion was held at this time that possibly \$1,000 should be reserved for the replacement of trees. Councilperson Ritter withdrew his second at this time. Rogalski moved, Breczinski seconded, the City of Marshall participate in the Dutch Elm Program for 1982 and reimburse property owners 30% of the cost to remove dutch elm trees up to \$75.00 and this policy be followed until \$10,000 has been spent out of the amount budgeted in 1982 for the dutch elm program and that \$1,000 be reserved out of the 1982 budget for the dutch elm program for the replacement of trees. Purrington, Breczinski, Rogalski and Kirchner voted in favor of the motion. Halter, Schlagel and Ritter voted no.

A discussion and review on the plans and specifications for the proposed replacement of the park maintenance building at Legion Field was held at this time. Due to the high estimated cost of replacing this facility the possibility of using some other facility within the City of Marshall was discussed. Kirchner moved, Ritter seconded, the proper city officials be authorized to receive bids for the construction of a park maintenance building. These bids are to be received at 7:30 P.M. at the regular council meeting on March 15, 1982. All voted in favor of the motion.

REGULAR MEETING - FEBRUARY 16, 1982 (CONT'D.)

The resignation of Police Officer, Frank Scherf was received. A discussion was held on whether or not to request certification of additional applicants for the position vacated by the resignation of Frank Scherf and also the starting salary for this position. Rogalski moved, Halter seconded, the starting salary for the position vacated in the police department by the resignation of Officer Frank Scherf be referred to the Personnel Committee. All voted in favor of the motion, except Brezczinski who voted no.

Schlagel moved, Ritter seconded, the approval of a 1 month temporary non-intoxicating liquor license for the Softball Association at a fee of \$15.00. It was also requested that the Softball Association provide a certificate of workmen's comp insurance. All voted in favor of the motion.

Schlagel moved, Ritter seconded, and it was unanimously approved that the following bills be authorized for payment: SPECIAL ASSESSMENT FUND, Voucher No. 203 - 204; DEBT SERVICE FUND, Voucher No. 1592 - 1593; PARKING SYSTEM FUND, Voucher No. 2606 - 2612; WASTEWATER FACILITIES FUND, Voucher No. 2767 - 2796; LIQUOR FUND, Voucher No. 29870 - 29904; and GENERAL FUND, Voucher No. 73008 - 73156.

The following building permits previously approved by the City Engineer were confirmed:

SWesta Builders Inc.
Highway 19 West
Section 6, Part of SE $\frac{1}{4}$ of SE $\frac{1}{4}$
Utility Room remodeling at
terminal building, \$2,200

Slagel & Wambeke Inc.
300 South Bruce Street
Section 4, Part of NE $\frac{1}{4}$ of SE $\frac{1}{4}$
Remodel for 5 additional rooms
\$10,000

French Glass Co.
Highway 19 West
Section 6, Part of SE $\frac{1}{4}$ of SE $\frac{1}{4}$
Window replacement at
terminal building, \$1,862

A Ways and Means Committee meeting was set for February 23, 1982 at 12:00 o'clock noon at Michael's On The Main to discuss issues referring to the parking lots and the removal of snow from these parking lots.

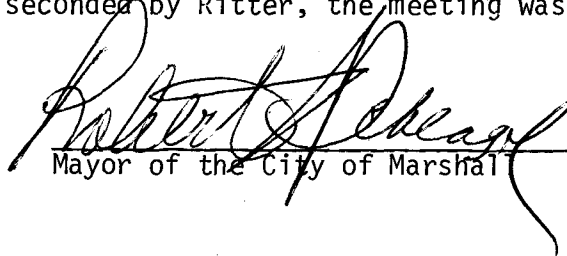
Councilperson Ritter requested the council members address a letter to their congressmen and legislators opposing Senate File 1031 and House File 1176 which imposes an 80¢ per cubic yard tax or a \$2.00 per ton tax on all waste materials dumped at sanitary land fills.

A letter received from Hay Associates was discussed at this time. This letter included costs for the updating of our present pay plan.

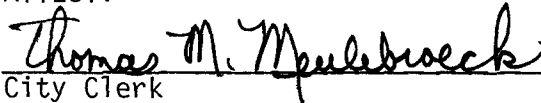
A Personnel Committee meeting was set for 6 o'clock P.M. on Wednesday, February 24, 1982.

A brief discussion was held on the securities pledged on the investments for the City of Marshall. Some investigation will be done on this.

Upon motion made by Schlagel, seconded by Ritter, the meeting was adjourned. All voted aye.


Mayor of the City of Marshall

ATTEST:


City Clerk

REGULAR MEETING - MARCH 1, 1982

The regular meeting of the Common Council of the City of Marshall was held on March 1, 1982. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the Mayor the following members were present: Purrington, Ritter, Breczinski, Halter, Rogalski and Kirchner. Absent: none.

Purrington moved, Ritter seconded, the approval of the minutes of the regular meeting of the common council held on February 16, 1982 as filed with each member. All voted in favor of the motion.

A public hearing was held at this time on an application for an on-sale liquor license from Randolph Lynn Parde and Louis Paul Seesz DBA The Seasons located at 1420 East College Drive, Marshall Square, Marshall, Minnesota. There were no objections received on this license, therefore, Schlagel moved, Rogalski seconded, an on-sale liquor license be granted to Randolph Lynn Parde and Louis Paul Seesz DBA The Seasons located at 1420 East College Drive, Marshall Square, Marshall, Minnesota. This license is effective April 1, 1982 and the fee for the balance of 1982 is \$3,750. All voted in favor of the motion.

The next item on the agenda was for a discussion with representatives from the Marshall Industries Foundation concerning the use of tax increment financing for the development of and sale of one of the Wastewater Treatment Plant Lagoons. Mr. James Heller, City Administrator, indicated to the council that representatives from the Marshall Industries Foundation had been negotiating with the prospective developer and they had not received a response from the prospective developer in regard to what their intentions were at this time. If this project is to continue the developers had requested the law firm of O'Connor-Hannan to serve as legal counsel on this issue. Mr. Brian Murphy, City Attorney, felt that the law firm of O'Connor-Hannan were knowledgeable in the area of tax increment financing and suggested the city receive from this law firm a fee schedule for their legal counsel. Mr. Murphy was also concerned about who this law firm would represent if the city were to hire them. It was his recommendation that if the city were to hire them that they cease their arrangements with the developer.

Rogalski moved, Purrington seconded, the adoption of ORDINANCE NUMBER 111, SECOND SERIES and that the reading of the same be waived. Ordinance Number 111, Second Series is an ordinance providing for the execution of a quit claim deed to Marshall Foods Inc., for certain real estate owned by the City of Marshall. The property being referred to in this ordinance is part of Lot 1 and 2, Block 7 of Stewart & Jenkins Addition to the City of Marshall. All voted in favor of the motion.

Upon the recommendation of the Ways and Means Committee, Rogalski moved, Ritter seconded, the adoption of RESOLUTION NUMBER 521, SECOND SERIES and that the reading of the same be waived. Resolution Number 521, Second Series is a resolution prohibiting parking between the hours of 4 o'clock A.M. and 9 o'clock A.M. on alternating rows on alternating days of the week in the parking lots in the downtown area of the City of Marshall. This resolution will help facilitate parking lot cleaning and snow removal operations. All voted in favor of the motion.

Upon the recommendation of Fire Chief, Ed Scheele, Rogalski moved, Schlagel seconded, the approval of a transfer with the Capital Outlay portion of the fiscal year 1982 Fire Department Budget. This transfer would allow for the amount budgeted in 1982 for a high pressure washer in the amount of \$1,500; nozzles, \$700; cascade system for the van, \$1,000; for additional hose, \$2,900; be transferred to allow for the replacement of additional Scott airpaks in a total amount of \$9,300. All voted in favor of the motion.

A discussion was held at this time on the appointment of a Director of Public Safety for the City of Marshall. Mr. Michael Sankey, one of the applicants for the Director of Public Safety position had requested if appointed to the position that a contract be considered between himself and the City of Marshall. Mr. Tom Hess was concerned whether any of the other applicants had requested a contract agreement and he was informed that no other applicants requested a contract. Mr. Hess was also wondering what type of items were included in the contract requested by Mr. Sankey. Mr. Sankey was requesting a 2 week vacation in 1982; 3 weeks vacation per year beginning January 1, 1983; he be allowed money for moving expense; be allowed money to maintain 2 households during the interim period; a salary of \$31,680; insurance as other employees within the employment of the City of Marshall; and that a provision be included in the agreement for severance pay if his position is terminated within 2 years. Councilperson Kirchner was opposed to some of the items requested by Mr. Sankey since they were not in conformance with the personnel policy of the City of Marshall. Councilperson Ritter was opposed to the vacation request, the salary request, the moving expense request and the dismissal pay request.

REGULAR MEETING - MARCH 1, 1982 (CONT'D.)

Upon request of Councilperson Purrington, and the general consensus of the council it was agreed that Mr. Heller would discuss some of the items requested with Mr. Sankey and that this item would be tabled until later in the meeting after such time that Mr. Heller was able to speak to Mr. Sankey.

Upon the recommendation of the Personnel Committee, Rogalski moved, Purrington seconded, the cost sharing between the City of Marshall and its employees for the increase in premium effective January 1, 1982 for the health insurance, dental insurance, life insurance and long term disability be retained with the City of Marshall paying 68% for family coverage and 85% for single coverage and the employee with family coverage pay 32% and the employee with single coverage pay 15%. A supplemental appropriation from contingency was also approved to distribute the City of Marshall's increased cost for these coverages to be appropriated to the proper cost centers. All voted in favor of the motion.

Schlagel moved, Ritter seconded, the adoption of RESOLUTION NUMBER 522, SECOND SERIES and that the reading of the same be waived. Resolution Number 522, Second Series is a resolution designating unincorporated areas as in need of orderly annexation and conferring jurisdiction over said area to the Minnesota Municipal Commission. Parcels under consideration for annexation would be Viking Plat No. 3 in the area of James Avenue and DeSchepper Street, property on South 4th Street immediately South of Freedom Park, Fifield property located on the Easterly side of trunk highway 23 and North of the extension of Lyon Street, Gray's property to a point beyond the future Southview Drive and Taylor's property located South of trunk highway 23. Some concern was expressed about including in the annexation the property South of Freedom Park to the 23 by-pass and Gray's property extending up to the highway 23 by-pass also. Mr. Aden informed the council that the reason the property was not included in the annexation was that he felt the city would have a hard time justifying the need to annex these parcels of property at this time. All voted in favor of the motion.

Conrad Prairie was concerned about the appointment of the Director of Public Safety for the City of Marshall. He was concerned whether Michael Sankey was the only applicant being considered at this time. Mayor Schlagel said he could not answer that question at this time.

Purrington moved, Ritter seconded, and it was unanimously approved that the following bills be authorized for payment: WASTEWATER FACILITIES FUND, Voucher No. 2797 through 2810; PARKING SYSTEM FUND, Voucher No. 2613 through 2618; LIQUOR FUND, Voucher No. 29905 through 29922; DEBT SERVICE FUND, Voucher No. 1594; SPECIAL ASSESSMENT FUND, Voucher No. 205 through 207; GENERAL FUND, Voucher No. 73157 through 73247.

The following building permits previously approved by the City Engineer were confirmed:

Slagel & Wambeke Inc.
415 South 4th Street
Section 4, SW $\frac{1}{4}$
Phase II of 12 unit condominium
\$700,000

Slagel & Wambeke Inc.
126 North 3rd Street
Original Plat, Block 10, Part of Lot 5
Remodeling, \$2,550

Upon motion by Schlagel, seconded by Purrington, this regular meeting of the common council was recessed at 8:40 P.M. All voted in favor of the motion.

Mayor Schlagel reconvened the regular meeting of the common council of the City of Marshall held on March 1, 1982 at 8:55 P.M.

The meeting was reconvened to consider the appointment of the Director of Public Safety for the City of Marshall. Mr. James Heller, City Administrator, had spoken to Michael Sankey in regard to his requests to be included in a contract if he were appointed to the position of Director of Public Safety. Mr. Sankey indicated that he would like to have a 2 week vacation in 1982 but he would withdraw his 3 week vacation request beginning in 1983; he would like to be given an allocation of money for moving expense and money to provide 2 households during the interim period; that he be given insurance as per city policy; and that a severance pay provision be included in the contract to allow for 6 months severance pay or until he takes another position with a police department within the first 2 years of employment and that no severance pay would be granted thereafter. Councilperson Ritter was opposed to Mr. Sankey's request. Councilperson Purrington felt that a maximum of approximately \$2,500 be set for moving and interim living expense be given; that vacations be consistent with the City of Marshall's personnel policy; that a 1 year contract be given and that the severance pay request be included in the contract. Mayor Schlagel indicated to the council and other people in attendance

REGULAR MEETING - MARCH 1, 1982 (CONT'D.)

at the meeting that it was the council members responsibility to appoint the most qualified applicant to the position of Director of Public Safety. Schlagel moved, Purrington seconded, Mr. Michael Sankey be hired as the Director of Public Safety with the following terms: vacation as per city policy; he be granted moving and interim living expense in the amount of \$2,500; a salary of \$31,680; he be given insurance as per city policy; and that a provision be included in the contract for severance pay for 6 months or until he receives another position if he is terminated within the first 2 years of employment and that no severance pay be granted thereafter. Schlagel, Purrington and Breczinski voted in favor of the motion. Voting no were Kirchner, Halter, Ritter and Rogalski. The motion was defeated.

Robert Swenson was concerned whether it was the policy of the City of Marshall to pay moving expenses for hiring individuals for the City of Marshall. Mayor Schlagel indicated that it had been a policy.

Roger Bell was concerned as to whether or not the council was just considering this 1 individual for Director of Public Safety.

Willard Engels was concerned about the appointment of an individual to the position of Director of Public Safety if they were not going to be receiving the full support of the council.

Mr. Tom Hess was concerned as to whether the individual is worth what he was asking for salary.

Purrington moved, Kirchner seconded, the regular meeting of the common council of March 1, 1982 be recessed for 5 minutes at 9:20 P.M. All voted in favor of the motion.

Mayor Schlagel reconvened the regular meeting of the common council of the City of Marshall on March 1, 1982 at 9:26 P.M.

A motion was made by Ritter to appoint John Tomasek as Director of Public Safety for the City of Marshall. There was no second to the motion, therefore the motion died.

Rogalski moved, Halter seconded, Marvin Bahn be appointed to the position of Director of Public Safety at a salary of \$30,000 per year. Rogalski, Kirchner and Halter voted in favor of the motion. Schlagel, Purrington, Ritter and Breczinski voted against the motion. The motion was defeated.

Purrington moved, Schlagel seconded, the position of Director of Public Safety for the City of Marshall be readvertised. A discussion was held at this time as to how the applications would be reviewed and how the applicants would be interviewed if they were to readvertise. Mr. George Harrelson spoke against the motion to readvertise for the position of Director of Public Safety. Mr. Harrelson felt applications were received from qualified applicants and thought some of the applicants could do an excellent job for the City of Marshall.

Mr. Conrad Prairie spoke in support of Marvin Bahn and felt that Mr. Bahn was very qualified for the position of Director of Public Safety for the City of Marshall.

Mayor Schlagel withdrew his second and Purrington withdrew his motion to readvertise for the position of Director of Public Safety.

Ritter moved, Halter seconded, Marvin Bahn be appointed to the position of Director of Public Safety at a salary of \$28,500 per year. All voted in favor of the motion.

A request was received to place a step on the 1979 Chevy Sport Van for the taxi system to assist people getting into and out of the van.

A Resolution was adopted in October, 1981 to remove the precinct lines in Ward 1 and Ward 2 of the City of Marshall. Some concern was expressed that these precinct lines in Ward 1 and Ward 2 should be put back in as they were before the adoption of the resolution in October, 1981.

Councilperson Ritter requested that the stop and go lights on main street be changed to flashing at approximately 2 o'clock A.M. City Engineer Duane Aden will investigate this matter.

Councilperson Breczinski along with the general consensus of the council requested that a letter be sent to the local congressmen and representatives indicating the City of Marshall opposition to Senate File No. 1929 in regard to

REGULAR MEETING - MARCH 1, 1982 (CONT'D.)

the allowing of counties to issue off-sale liquor license in non-incorporated areas.

Upon the recommendation of the Personnel Committee, Rogalski moved, Schlagel seconded, the long term disability benefit for the City of Marshall employees be increased from \$1,000 per month to \$1,500 per month and that the following salary increases be approved: Jane DeVries, Receptionist/Secretary, from \$1,014 per month to \$1,050 per month effective March 10, 1982; Doris Huber, Secretary, from \$1,014 per month to \$1,050 per month effective March 10, 1982; and Jack Leedom, Accounting Clerk, from \$1,000 per month to \$1,036 per month effective March 10, 1982. All voted in favor of the motion.

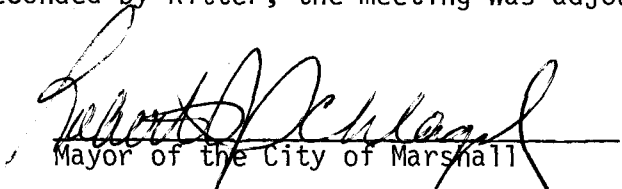
A question was raised on the possibility of installing a public telephone in the Municipal Building. Mr. Heller had checked with the telephone company on the possibility of this and it does not seem feasibly at this time to install a public telephone within the municipal building.

Councilperson Kirchner suggested the possibility of solar heat be investigated for use in the new Park Maintenance building.

A special meeting of the Common Council was set for March 8, 1982 at 7 o'clock P.M. to meet with City Engineer Duane Aden, and the Building Inspector Dale Howe.

Mr. Heller indicated to the council that the Marshall Cable TV was requesting a rate increase and that this would be presented at the March 15, 1982 regular meeting of the City Council and that a public hearing would be held on April 5, 1982. Councilperson Purrington suggested that the current ordinance being proposed on cable TV be made effective before any rate increases are approved.

Upon motion made by Schlagel, seconded by Ritter, the meeting was adjourned. All voted aye.


Mayor of the City of Marshall

ATTEST:


City Clerk

REGULAR MEETING - MARCH 15, 1982

The regular meeting of the Common Council of the City of Marshall was held on March 15, 1982. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the mayor the following members were present: Purrington, Ritter, Breczinski, Halter and Kirchner. Absent: Rogalski.

Breczinski moved, Schlagel seconded, the approval of the minutes of the regular meeting of the Common Council held on March 1, 1982 as filed with each member. All voted in favor of the motion.

A public hearing was held at this time on the proposed 1982 Public Improvement Projects. There were no questions or objections to the curb & gutter, street grading, gravel base, sanitary sewer or watermain projects. Mr. Ron Freeman was concerned about the purpose of the bituminous surfacing project for the Peltier, Glen and Simmons Streets. Mr. Duane Aden, City Engineer, informed Mr. Freeman and other members in attendance at the meeting the purpose of bituminous surfacing for Glen, Peltier and Simmons Streets was to control the dust, solve the poor drainage problem and to reduce pot holes in this area. Mr. Aden indicated to the council and other members in attendance at the meeting that dust coating this type of area does not last and gets very costly. Mr. Roger Weber was concerned whether the bituminous surfacing on Peltier, Glen and Simmons Streets would take care of all the drainage problems in this area and how the cost would be allocated for the bituminous surfacing of this area. Mr. Aden informed him and others in attendance at the meeting that the bituminous surfacing of this area would help some of the drainage problems but would not take care of all unless curb & gutter were also put in this area. He also indicated that the assessment of the cost and the payment period would be determined at an assessment hearing at a later date. Mrs.

REGULAR MEETING - MARCH 15, 1982 (CONT'D.)

Duane Jacobson was concerned as to what the estimated cost for the bituminous surfacing would be in this area. Mr. Aden indicated bituminous surfacing of Peltier Street would be approximately \$8.47 per front foot, Glen Street \$5.90 per front foot and Simmons Street would range from \$3.70 to \$5.90 per front foot. Mr. Aden indicated to those in attendance at the meeting the man holes would be adjusted when bituminous surfacing is placed on these streets. Roger Weber was concerned as to whether the driveways could be bituminous surfaced at the same time as the street. Mr. Aden indicated that this would have to be arranged between the property owner and the contractor for the property owners driveways to be bituminous surfaced at the same time as the street.

Mr. Dick Labat was concerned as to whether a black top overlay was considered for the alley in Block 3 & 4 of the Original Plat lying between West College Drive and 4th Street instead of the proposed concrete pavement. Mr. Duane Aden indicated to Mr. Labat and others in attendance at the meeting that a black top overlay would create drainage problems in the area due to the thickness of black top overlay that is required. He also indicated that with concrete the grade can be controlled & that concrete would stand up better to ice and water. Mr. Aden also indicated that the cost for concrete would be approximately 50% higher than bituminous and that the concrete would be treated to be resistant to sealing from salt action. Mr. Aden indicated that the cost to the property owners would be approximately \$20.37 per front foot and that the construction time would be approximately 3 weeks and that there would have to be approximately 2 weeks curing time before heavy traffic could use this pavement. Mr. Ron Jensen questioned what is the city's responsibility on the proposed concrete pavement project? Mr. Aden indicated that this project was initiated by city action which is an option to a property owner's petition, and that with a project such as the concrete pavement the city will pay approximately ½ of the assessment for this new concrete and that they will pay for the removing of the existing concrete and take care of the storm sewer problems along this area. Mr. Aden indicated to those in attendance at the meeting that it is the responsibility of the property owners to take care of the private storm sewers from the alley to the property or buildings along this area.

Mr. Aden reviewed the storm sewer projects with the council and other members in attendance at the meeting. Mr. Willard Engels was concerned about the size of the outlet on Lyon Street which would handle most of the water for the cross roads storm sewer system. Mr. Aden indicated that this outlet is a 54" pipe. Mr. Aden also indicated that the Country Club Drive Storm Sewer System would service part of the Westmar Addition and the cost for this improvement would be approximately 4¢ per square foot.

Purrington moved, Ritter seconded, the adoption of RESOLUTION NUMBER 523, SECOND SERIES and that the reading of the same be waived. Resolution Number 523, Second Series is a resolution ordering the improvement, approving the plans and specifications, and authorizing the advertisement for bids for the 1982 improvement projects. These bids are to be received at 5 o'clock P.M. on April 12, 1982 in the Council Chambers of the Municipal Building at 344 West Main. All voted in favor of the motion.

Purrington moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 524, SECOND SERIES and that the reading of the same be waived. Resolution Number 524, Second Series is a resolution ordering the improvement and approving the plans and specifications for the improvements along Erie Road. All voted in favor of the motion.

Bids were received, opened and read at this time for the general construction, electrical construction and plumbing construction for the maintenance building for the Marshall Parks Department at Legion Field. Bids received, opened and read for the general construction were from:

SWesta Builders, Inc.,
Marshall, Minnesota
\$25,440.00

Deutz & Hess
Marshall, Minnesota
\$24,549.00

Bladholm & Hess
Marshall, Minnesota
\$29,950.00

Space Development
Marshall, Minnesota
\$24,500.00

Dulas Construction
Marshall, Minnesota
\$31,665.00

Wagner Building & Supply on behalf
of Richard Doom, Marshall, Minnesota
\$29,135.00

REGULAR MEETING - MARCH 15, 1982 (CONT'D.)

The bids received, opened and read for the electrical construction of the maintenance building for the Marshall Parks Department at Legion Field were from:

Coleman Electric
Marshall, Minnesota
\$1,700

T Eric Enterprises
Marshall, Minnesota
\$2,000

Olson Electric Service, Inc.,
Marshall, Minnesota
\$1,690

Obe Electric
Minneota, Minnesota
\$1,687.00

Walter's Electric
Balaton, Minnesota
\$1,330.20

The bids received, opened and read for the plumbing construction of the maintenance building for the Marshall Parks Department at Legion Field were from:

Gary's Plumbing
Marshall, Minnesota
\$500.00

Crosstown Plumbing & Heating
Marshall, Minnesota
\$720.00

Balaton Plumbing
and Heating
Balaton, Minnesota
\$435.00

The bids received, opened and read for the general construction, electrical construction and plumbing construction for the maintenance building for the Marshall Parks Department at Legion Field were referred to the City Engineer to review.

At the regular meeting held on March 1, 1982 a motion was made to adopt an ordinance regulating overnight parking in the downtown municipal parking lots. Upon the recommendation of the city attorney this action should have been by a resolution, therefore the minutes of March 1, 1982 were amended to adopt a resolution regulating the overnight parking in the downtown municipal parking lots. This action was confirmed by the council at this time.

A discussion was held at this time on the decision to place handicapped parking spaces on 3rd Street and West Main Street. Mr. Rudy Caron from Wee Modern's did indicate to the council and other members in attendance at the meeting that the location of the 2 handicapped parking stalls, 1 on Main Street and 1 on 3rd Street at the intersection of Main & 3rd Streets does create some inconveniences for the business in this area especially at the time freight arrives. Mr. Roger Simons, executive director of R.E.A.L. indicated to those in attendance at the meeting that with 781 downtown parking stalls he felt that it was not too much to ask for 5 stalls for handicapped parking in the downtown area. Mr. David McQuire felt with the handicapped accessible college the downtown area should be more adequate as far as accessibility to the handicapped. Mr. Rudy Caron had no problem with the handicapped stalls except that the location of them is causing inconveniences to the businesses in that area and felt they should be more spread out. Ms. Lynn Stern, an employee of R.E.A.L., indicated to those in attendance at the meeting that both the handicapped parking stalls on Main Street and 3rd Street are being used at one time and she was wondering what the real question is at this time retail business or handicapped rights. Ms. Janet Thomas felt consideration should be given to having more handicapped stalls in the downtown area as it is more inconvenient for a handicapped person to go a distance to transact their business than it is for an able body person. Mr. Jerry Klemm suggested that the city council should consider installing more handicapped parking stalls in the downtown area. Some discussion was also held on how the sign is placed in the handicapped stall on Main Street. The City Engineer and Director of Public Safety will resolve the location of the sign at this location for the handicapped parking stall. Purrington moved, Schlagel seconded, the end parking stall on the North side of Main Street prior to the intersection with 3rd Street and the first parking stall on the East side of 3rd Street at the intersection of Main Street and 3rd Street be the stalls retained for handicapped parking and that a sign be placed in front of the stall on Main Street indicating that it is for handicapped parking. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Ritter moved, Kirchner seconded, the home occupation conditional use permit for Ms. Evelyn DeMartalaere, 204 DeSchepper Court to conduct a drapery making business be renewed for a 5 year period. All voted in favor of the motion.

REGULAR MEETING - MARCH 15, 1982 (CONT'D.)

Upon the recommendation of the Planning Commission, Purrington moved, Breczinski seconded, the approval of a conditional use permit for Mr. John Williams of Southwest Ford Lincoln Mercury Sales Inc., of 405 Country Club Drive to construct a security fence to be used for the storage of towed vehicles. All voted in favor of the motion.

A discussion was held at this time on the application from Southwest Ford Lincoln Mercury Sales Inc., 405 Country Club Drive for a motor vehicle towing and storage license. Mr. Robert Grupe DBA Big Bob's currently has a license for motor vehicle towing and storage. The prime concern at this time was the method of how to handle the tow calls. It was suggested that the licensee's alternate days, weeks, or months or that the towing arrangements be worked out between the two individuals holding the license's. Schlagel moved, Purrington seconded, the granting of a motor vehicle towing and storage license to Southwest Ford Lincoln Mercury Sales Inc., be postponed until Big Bob's and Southwest Ford are able to work out an agreement for the towing. Breczinski, Schlagel and Purrington voted in favor of the motion. Ritter, Kirchner and Halter voted no. The motion was defeated.

Kirchner moved, Ritter seconded, Southwest Ford Lincoln Mercury Sales Inc., of 405 Country Club Drive be granted a motor vehicle towing and storage license and that this licensee and Big Bob's work out an alternative basis of either days, weeks or months or whatever is agreeable to the two parties for the towing of vehicles. Breczinski, Halter, Ritter and Kirchner voted in favor of the motion. Purrington and Schlagel voted no.

A discussion was held at this time with representatives from the Minnesota Corn Processors: Wink Lundell, Don DeLange, Wayne Anderson and Wayne Grotjan and a representative from Daniel Construction Company E. Ping Doe; in regard to the construction of a facility for the Minnesota Corn Processors at the abandoned Municipal Sewage Treatment Lagoon currently used for agriculture. This facility is estimated to cost \$50,000,000 with construction to begin May 1, 1982 and that the plant will start operation on August 15, 1983. This facility will be a grass roots corn wet milling and syrup facility which will process approximately 32,000 bushels of corn daily, will operate 24 hours a day 365 days a year. It will produce corn syrup, corn starch, corn gum, gluten and feed. The representatives from the Minnesota Corn Processors, the Daniel Construction Company and Mr. Duane Aden, City Engineer, reviewed with the council the environmental assessment worksheet. Mr. Aden indicated to the council that this project does not have a potential for significant environmental impact, therefore no environmental impact statement is needed on this project. Purrington moved, Schlagel seconded, the approval of the Environmental Assessment Worksheet and that it be submitted to the Minnesota Environmental Quality Board for its approval. All voted in favor of the motion.

Purrington moved, Schlagel seconded, the adoption of ORDINANCE NUMBER 112, SECOND SERIES and that the reading of the same be waived. Ordinance Number 112, Second Series is an ordinance providing for the creation and awarding a cable TV franchise in the City of Marshall, Minnesota, providing for the rules governing and the operation of the same. All voted in favor of the motion.

A discussion was held at this time on the request for Marshall Cable TV concerning the proposed changes in rate and programing and a public hearing on the request for the rate increase. Ms. Kathy Hans a representative from the regional office and Mr. Don Bottlegbherge from the local office were in attendance at the meeting to discuss with the council the proposed increase. Ms. Hans indicated that the primary reason for the rate increase was due to the increase in costs. She indicated to the council that in the City of Marshall it costs \$5.00 per pole for rent, which is the highest in the State of Minnesota. Members of the council were requesting financial information from the regional office to somehow substantiate the requested increase in rates. It seemed that it was rather difficult to receive the information that the council was requesting. Schlagel moved, Breczinski seconded, a public hearing be set for April 5, 1982 at 7:30 P.M. on the proposed rate increases by Marshall Cable TV. All voted in favor of the motion.

Schlagel moved, Purrington seconded, the approval of a transient merchants license for John's Wholesale of Anoka, Minnesota. This license provides for the selling of sporting goods and possible clothing. Mr. Rudy Caron on behalf of Ron Davison from Sport's Central was opposed to the granting of this license since it would drastically affect the sales of Sport's Central. Mr. Chad Wyffels of Poor Borch's also spoke against the granting of the license since this interferes with the items that are sold by his business. All voted in favor of the motion.

REGULAR MEETING - MARCH 15, 1982 (CONT'D.)

Purrington moved, Breczinski seconded, the approval of the plans and specifications for the traffic signals at South 4th Street and Country Club Drive and that the proper city officials be authorized to receive bids for the traffic signal at South 4th Street and Country Club Drive on April 12, 1982 at 5:00 o'clock P.M. All voted in favor of the motion.

City Engineer Duane Aden presented a proposal to consider improvements on North 7th Street so as to connect with proposed Erie Road improvements.

Purrington moved, Kirchner seconded, the adoption of RESOLUTION NUMBER 525, SECOND SERIES and that the reading of the same be waived. Resolution Number 525, Second Series is a resolution calling for the feasibility report on the public improvement projects: curb & gutter, grading, base, bituminous surfacing and watermain on North 7th Street from the Diversion Channel to Erie Road. The Lyon County Board of Commissioners have indicated that they intent to construct the extension of Erie Road from North 7th Street to Trunk Highway 23. All voted in favor of the motion.

Upon the recommendation of Director of Public Safety Marvin Bahn, Schlagel moved, Ritter seconded, the \$1,050 included in the police department budget for the purchase of a new breathalyzer be transfered to account number 101-49.005-580 to allow for the purchase of a new radar set which will cost \$2,095 with trade-in. All voted in favor of the motion.

Kirchner moved, Purrington seconded, that the City of Marshall position number 111 which is a Police Sergeant position within the police department be reclassified from a sergeant position to a patrolman position. All voted in favor of the motion.

Purrington moved, Schlagel seconded, the Police Civil Service Commission certify 3 applicants to be considered for the vacant position of police officer within the police department and that this position be advertised at a beginning salary of \$1,400 per month and that serious consideration be given to step increases with this position. All voted in favor of the motion.

Schlagel moved, Breczinski seconded, the adoption of RESOLUTION NUMBER 526, SECOND SERIES and that the reading of the same be waived. Resolution Number 526, Second Series is a resolution providing for the compliance with the Minnesota Data Practices Act and the Equal Employment Opportunity Commission and the Affirmative Action Plan for the City of Marshall. With this resolution the city administrator of the City of Marshall will not be responsible for the Marshall-Lyon County Library, Marshall Utilities Commission and the Weiner Memorial Medical Center and Nursing Home. All voted in favor of the motion.

At the regular meeting held on March 1, 1982 it was approved to increase the long term disability maximum for the City of Marshall employees from \$1,000 per month to \$1,500 per month. The city council was lead to believe that there would be no increase in cost for this increase. In reviewing the policy it has been determined that there will be an increase in cost both to the city and the employees for this increase benefit, therefore, Kirchner moved, Halter seconded, the action to increase the long term disability maximum limits from \$1,000 per month to \$1,500 per month be rescinded and that the long term disability maximum limit be retained at \$1,000 per month. All voted in favor of the motion.

A discussion was held at this time on the precinct lines and the polling locations within the City of Marshall for future elections. It was suggested that the building inspector for the City of Marshall visit various sites within the City of Marshall to see whether they are accessable for the handicapped and to be used for polling locations for future elections. Breczinski moved, Purrington seconded, the desicion to replace the precinct lines and the determining of the polling locations be tabled at this time until an investigation by the building inspector takes place to see what is available for polling locations. All voted in favor of the motion.

Schlagel moved, Halter seconded, May 3, 1982 at 7:30 P.M. be the date and time set for the Board of Review. All voted in favor of the motion.

Breczinski moved, Ritter seconded, the bid for the general construction of the maintenance building for the Marshall Parks Department at Legion Field be awarded to Space Development, Marshall, Minnesota in the amount of \$24,500; the bid for electrical construction be awarded to Walter's Electric, Balaton, Minnesota in the amount of \$1,339.20; and the bid for plumbing construction be awarded to Balaton Plumbing & Heating, Balaton, Minnesota in the amount of \$435.00; and the

REGULAR MEETING - MARCH 15, 1982 (CONT'D.)

approval of a supplemental appropriation from contingency to account number 101-59.006-520 in the amount of \$30,274.20 for the construction for the maintenance building for the Marshall Parks Department at Legion Field and a supplemental appropriation from contingency to account number 101-59.006-900 in the amount of \$11,665.06 for the replacement of the contents for the maintenance building for the Marshall Parks Department at Legion Field. It is estimated that the City of Marshall will receive \$24,304.71 from the insurance company for the maintenance building and contents lost in a fire on December 25, 1981. All voted in favor of the motion.

Schlagel moved, Ritter seconded, and it was unanimously approved that the following bills be authorized for payment: GENERAL FUND, Voucher No. 73248 through 73406; SPECIAL ASSESSMENT FUND, Voucher No. 208 through 211; REVENUE SHARING FUND, Voucher No. 217; DEBT SERVICE FUND, Voucher No. 1595; LIQUOR FUND, Voucher No. 29932 through 29956; WASTEWATER FACILITIES FUND, Voucher No. 2811 through 2839; and PARKING SYSTEM FUND, Voucher No. 2619 through 2629.

The following building permits previously approved by the City Engineer were confirmed:

J. F. Taylor & Sons, Inc.
806 & 904 Hackberry Drive
Southview Subdivision, Block 1,
Lot 4 - 8, Four entries
\$2,000

Jesus Hernadez
310 Rainbow Drive
Section 5, SE $\frac{1}{4}$
Unattached double garage
\$1,200

Maurice Chaplin
602 Kathryn Avenue
Eatros Place 3rd Add., Block 1,
Lot 13, Finish basement family
room, \$400

Elroy Rund
304 James Avenue
3rd Nielsen's Addition,
Block 1, Lot 2
Extend patio roof, \$200

The Floor to Ceiling Store
1107 West Main Street
Section 5, NE $\frac{1}{4}$
Sign, \$500

Space Development
301 Legion Field Road
Section 5, SE $\frac{1}{4}$
Remodel bathroom and stairway
\$5,000

A & D Midwest Builders, Inc.
502 Dogwood Avenue
Southview 2nd Subdivision,
Block 3, Lot 15
Dwelling, \$31,000

Bladholm & Hess
Fairview Road
Section 33, Part of SW $\frac{1}{4}$
Remodeling for office space
\$25,500

A Transportation Committee meeting was set for March 25, 1982 at 10 o'clock A.M. in the conference room of the Municipal Building to discuss with members from the Minnesota Department of Transportation, members of the Chamber of Commerce and local businessmen the ride share program.

It was the general consensus of the council that the proper city officials be authorized to receive bids for the fence for the softball complexes. Harry Weilage, Director of Park, Recreation and Community Education indicated to the council money received through the Softball Association, user fees, and the American Legion would be used to pay for this fence.

A meeting of the Legislative and Ordinance Committee was set for March 24, 1982 at 7 o'clock P.M.

A joint City Council - Utility Commission meeting was set for March 29, 1982 at 7 o'clock P.M. in the Council Chambers of the Municipal Building to discuss the 1981 audit for the Marshall Municipal Utilities, the philosophy of the utilities commission, the cost of the service study, various charges of the utilities and the franchise fees (payment in lieu of taxes).

A Public Works meeting was set for March 18, 1982 at 12 o'clock noon at Toni's to discuss the acquiring of property abandoned by the Chicago Northwestern Railroad.

Upon motion made by Schlagel, seconded by Ritter, the meeting was adjourned. All voted in favor of the motion.

ATTEST:

Thomas M. Meunbroeck
City Clerk

Robert D. Schlagel
Mayor of the City of Marshall

SPECIAL MEETING - MARCH 29, 1982

The special joing meeting of the Common Council of the City of Marshall and the Municipal Utilities Commission was held on March 29, 1982. The meeting was called to order at 7:00 P.M. by Mayor Schlagel. In addition to the mayor the following members were present: Kirchner, Rogalski, Halter, Purrington, Breczinski. Absent: Ritter. Members of the Utilities Commission present: Stewart, Mukomela, Lindsay, Becker. Absent: Richeson.

Mayor Schlagel called upon Utilities Superintendent, Al Rome, to begin by reviewing the 1981 Financial Audit. Mr. Rome reported that most of the profit was due to the return from the Heartland Contract and from investment income. The electrical operating account balance reported a loss of about \$55,000. Average total purchase power cost was about 1.7¢ per period. Municipal Utilities purchases approximately 28% of the total KWH from Heartland Consumer Power district. The audit reported a water operating profit of \$55,000.

Mr. Rome pointed out that residential electrical usage was about 27% of the total electrical usage while providing about 31% of the total revenue.

It was pointed out that the electircal rates for the City of Marshall of .0280 per KWH for street lighting included part of the cost of installation and maintenance. The charge for electricity for street lighting was .0240 per KWH. Purrington stated that there was no definitive agreement on shared cost of street lighting. Considerable discussion followed on the cost sharing concept of costs paid by electrical users versus property taxes of which one-half of the property in the city is tax exempt. Aden suggested that a cost sharing of users fees, property taxes and special assessments might be an accetable approach. Purrington suggested a committee be appointed to develop a proposal for further consideration regarding street lighting and fire hydrants. It was the general concensus that a committee be appointed to pursue this action. Fire hydrant rental charges versus user charges, assessments, etc., was also mutually agreed to be reviewed and studied by this committee.

Superintendent Rome stated that even though the electrical department is losing money on operations, a "windfall" profit is being received from Heartland due to Marshall's reserve generation capability. He stated that the Utilities Commission was discussing whether to pass this on to the present users or to save it for future expansion and purchases.

City Attorney Murphy pointed out that any changes in the rates charged the city must be negotiated with the city council and any changes in the payment to the city by Utilities Commission would also have to be negotiated.

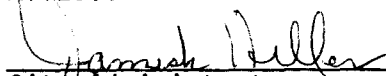
Gary Becker suggested that the city and Utilities Commission investigate the possibility of self insurance for employee dental and other group insurance.

Kirchner moved, Schlagel seconded, to approve the temporary transfer of \$110,000.00 from the General Fund to the Special Assessment Fund for a period of 7 days and then transfer the same amount back to the General Fund from the Special Assessment Fund. All voted in favor of the motion.

Upon motion and second the meeting was adjourned. All voted aye.


Mayor of the City of Marshall

ATTEST:


City Administrator

REGULAR MEETING - APRIL 5, 1982

The regular meeting of the Common Council of the City of Marshall was held on April 5, 1982. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the Mayor the following members were present: Purrington, Ritter, Brezczinski, Halter, Rogalski and Kirchner. Absent: none.

Kirchner moved, Ritter seconded, the approval of the minutes of the regular meeting of the Common Council held on March 15, 1982 and the special meeting of the Common Council held on March 29, 1982 as filed with each member. All voted in favor of the motion.

A public hearing was held at this time on the proposed rate increase for the Marshall Cable Television. The cable television is requesting a \$1.00 per month per subscriber increase. Ms. Kathy Hans and Don Bottelberghe were in attendance at the meeting to discuss with the council the financial information they had and any other questions that were brought before them. Ms. Hans indicated to the council that if the \$1.00 increase per month was approved the cable television would be able to retain a rate of return of approximately 11.7%. If the increase was not approved a rate of return would be approximately 10%. The proposed increase of \$1.00 would be for a 2 year period and Ms. Hans indicated to the council if this rate was approved a 3% franchise tax on the gross revenue would be returned to the city, for the city to use at its own discretion. Mr. Dale Collinsworth, Executive Vice-President of the Chamber of Commerce, was personally not opposed to an increase in the rate, but on behalf of the Chamber was concerned about the possibility of future studio availability for public organizations. Ms. Hans indicated there would be availability for public organizations and did encourage that more public organizations get involved in the use of this studio. Mr. Gene Hummel was concerned about the availability of more channels to this area. Ms. Hans indicated to the council and other members in attendance that by 1986 per State Statute the local cable must provide at least 20 channels to its subscribers and that there would be an increase cost to provide additional channels. Mr. Jim Schmidt presented to the council a petition with a list of individuals who felt the increase in rates for cable television was unjustified at this time and they also felt that there was too much duplication of channels. Ms. Hans indicated to those in attendance at the meeting that the cable is required to carry certain channels if it is within the viewing area of a certain station. Mike Holmes, a student from Southwest State University, was concerned as to whether the cable provides service to Southwest State University. Ms. Hans indicated to those in attendance at the meeting that the cable does not have an agreement at this time with Southwest State University for the use of cable. Rogalski moved, Ritter seconded, the introduction of an ordinance allowing for an increase in cable service for the City of Marshall subscribers from \$7.50 per month to \$8.50 per month for the period May 1, 1982 through April 30, 1984 and that a 3% franchise tax on the gross revenue be returned to the City. Ritter, Rogalski, Kirchner and Schlagel voted in favor of the motion. Purrington, Halter and Brezczinski voted no.

Bids were received, opened and read at this time for chain link fencing at the softball complex which would provide a barrier between the Channel Parkway and the softball fields and it also includes fencing of fields no. 3 & 4 as well as other miscellaneous fencing at this location. These bids for chain link fencing would also involve the fencing of the baseball field at Legion Field. The bids received, opened and read were from:

Taylor's Inc.
Marshall, Minnesota
\$35,702.35

Crowley Fencing Co., Inc.
Minneapolis, Minnesota
\$36,425.00

George Jacob
Marshall, Minnesota
\$32,471.07

Century Fence
Forest Lake, Minnesota
\$32,915.90

Wagner Building & Supply
Marshall, Minnesota
\$33,952.90

These bids were referred to the City Engineer and Parks, Recreation and Community Education Director for their review and analysis.

Ms. Arlin Waelti, Attorney At Law from O'Conner-Hannan, was in attendance at the meeting to discuss with the council O'Conner-Hannan's services and fees if they were to be chosen as legal counsel in conjunction with the Minnesota Corn Producers project and the tax increment financing bond issue. It was the recommendation of Ms. Waelti that if O'Conner-Hannan was chosen as legal counsel that they serve as legal counsel for the City of Marshall rather than the private sector.

REGULAR MEETING - APRIL 5, 1982 (CONT'D.)

Ms. Waelti indicated that there were a number of areas that needed to be considered before the city proceeds with tax increment financing. She indicated that there should be some meetings between the City Council, the Corn Producers and the Industries Foundation to identify some of these issues and for them to be resolved before proceeding. Schlagel moved, Purrington seconded, the adoption of RESOLUTION NUMBER 527, SECOND SERIES and that the reading of the same be waived. Resolution Number 527, Second Series is a resolution calling for the creation of a development plan for a redevelopment district and the preparation of a tax increment financing plan for a tax increment district established therein. This resolution provides for the law firm of O'Conner-Hannan to be appointed bond counsel for all general obligation, revenue and industrial development bonds and other obligations issued in connection with the program. All voted in favor of the motion.

Mr. Gregg Cattoor a representative from the Marshall Industries Foundation discussed with the council a proposal to be considered for the possible location of the Minnesota Corn Producers Plant in the City of Marshall. The proposal was requesting tax increment financing to be available for on site improvements in the amount of \$1,460,000. This amount would be subject to a tax increment financing agreement with the City of Marshall which would include tax payments for the retirement of bonds issued to be not less than \$362,000 annually with the first payment payable in 1984. Assessments to be considered in accordance with the City of Marshall assessment procedure would be the Minnesota Corn Producers share of Erie Road project which would include water, and street improvements which would cost approximately \$275,000 and for Wastewater pretreatment improvements which would be approximately \$275,000 also. The land price for the property to be sold for the construction of the Minnesota Corn Producers Facility is being discussed as being in the area of \$2,000 per acre. Mr. Pat Leary a representative from the Marshall Industries Foundation discussed with the council a number of benefits and a few drawbacks that would be involved with the construction of the Minnesota Corn Producers Facility. The benefits that he addressed were: the creation of jobs; the promotion of agricultural industry; better Wastewater Treatment Plant use; development of North 7th Street from the Channel Parkway to Erie Road; the opening of the area to the South of Erie Road; the extension of the North by-pass; the possibility of other development in the area; the use of the lagoons; the increase construction activity; and the future increase in the total city tax base of an estimated 10%. A couple of drawbacks he mentioned were the increase services that would be needed for this area consisting of police, fire and etc. He also indicated that tax increment financing could also be a drawback in regard to the responsibility of the city. Representatives from the Minnesota Corn Producers were in attendance at the meeting indicated that they are receiving an overwhelming response from farmers within the area in regard to committed equity. Mr. Duane Aden, City Engineer, reviewed with the council the City of Marshall Housing and Redevelopment Authority Draft Development Plan in regard to the construction of the Minnesota Corn Producers Facility. Ms. Waelti indicated to the council that she felt it was a good idea to have the Housing and Redevelopment Authority involved in the construction of this facility. Schlagel moved, Purrington seconded, to proceed with a Housing and Redevelopment Authority Development Plan and that the proper city officials be authorized to proceed with the tax increment financing bond issue. All voted in favor of the motion.

Rogalski moved, Purrington seconded, the motion to approve the Housing and Redevelopment Authority Development Plan and the authorization to proceed with the tax increment financing bond issue be reconsidered. All voted in favor of the motion.

Schlagel moved, Rogalski seconded, the Housing and Redevelopment Authority Development Plan proceed and the proper city officials be authorized to proceed with the tax increment financing bond issue and that the Housing and Redevelopment Authority be involved with this project. All voted in favor of the motion.

Mayor Schlagel commended the Minnesota Corn Producers representatives, the Marshall Industries Foundation and individuals from the staff of the City of Marshall for their efforts in getting the Minnesota Corn Producers Facility located within the City of Marshall.

At the regular meeting of the Common Council held on March 15, 1982 there were a number of questions pertaining to the installation of bituminous surfacing on Simmons, Peltier and Glen Streets. A petition had been developed but was not received by the council as intended, in which a number of residents were opposed to the bituminous surfacing of Simmons, Peltier and Glen Streets, therefore, Schlagel moved, Ritter seconded, the bituminous surfacing of Simmons, Peltier and Glen Streets not be included in the 1982 improvement projects and also not be included in the adoption of Resolution Number 523, Second Series which is a resolution ordering the improvement, approving the plans and specifications and

REGULAR MEETING - APRIL 5, 1982 (CONT'D.)

authorizing the advertisement for bids on the 1982 improvement projects. All voted in favor of the motion.

Mr. Paul Stoneberg a representative from the Indoor Recreation/Civic Center Facility Committee discussed with the council and other members in attendance at the meeting the committee's findings from their visits to other facilities within the State of Minnesota. It was the committee's recommendation that if such a facility was to be considered that it be a multi purpose facility for such uses as: conventions, ice rink, racquet ball court, and etc. There was some questions in regard to the cost of operating such a facility. Mr. Burt Hill was concerned about the insurance costs to have such a facility. Mayor Schlagel took this opportunity to commend those who were involved with the visits and the feasibility report that was prepared in regard to the Recreation and Civic Center Facility.

Mr. Brian Murphy, City Attorney, reviewed with the council and other members in attendance a proposed ordinance which was developed by the Legislative and Ordinance Committee in conjunction with representatives from the Marshall Area Chamber of Commerce in regard to transient merchants. It was also suggested that some type of sign be placed outside the City of Marshall along the entrances to the City of Marshall the city's requirements as far as transient merchants. Schlagel moved, Purrington seconded, the proposed ordinance in regard to transient merchants be referred back to the Legislative and Ordinance Committee. All voted in favor of the motion.

Upon the recommendation of the Legislative and Ordinance Committee, Rogalski moved, Ritter seconded, the introduction of an ordinance amending certain sections of the City Code, Chapter 2. This ordinance would amend Section 2.13, Subdivision 3, Sub-part G of the Civil Defense Ordinance. All voted in favor of the motion.

Upon the recommendation of the Legislative and Ordinance Committee, Schlagel moved, Ritter seconded, the introduction of an ordinance amending certain sections of the City Code, Chapter 2. This ordinance would allow the Hospital Board to purchase items up to \$10,000 rather than \$5,000 without City Council approval. All voted in favor of the motion.

Upon the recommendation of the Legislative and Ordinance Committee, Breczinski moved, Kirchner seconded, the introduction of an ordinance amending certain sections of the City Code, Chapter 2. This ordinance amends Section 2.70, Subdivision 3, Paragraph B, C, & D. This amended ordinance will change the dollar amounts that currently exist to allow easier sale of surplus city property. All voted in favor of the motion.

Purrington moved, Kirchner seconded, the proper city officials be authorized to submit a grant application to the Southwest Emergency Medical Corporation for funds to purchase training aids and materials. It is anticipated the City of Marshall could receive \$3,500 from this grant application. All voted in favor of the motion.

Upon the recommendation of the Legislative and Ordinance Committee, Kirchner moved, Ritter seconded, to adopt the following changes to the City of Marshall purchasing policy: Section 2A should be for contracts over \$10,000; Section 2B for contracts from \$1,000 to \$10,000; and Section 2C for contracts less than \$1,000. All voted in favor of the motion.

Mr. Jim Heller, City Administrator, reviewed with the council the word processing program for the City of Marshall computer system. Mr. Heller indicated to the council that there were a number of areas that would benefit from this program. Schlagel moved, Purrington seconded, the approval of a supplemental appropriation from contingency in the amount of \$8,235 to the data processing account. This appropriation consists of \$3,000 for the word processing software, \$4,235 for a letter quality printer, and \$1,000 for training and other expenses which included \$400 for an annual maintenance agreement. All voted in favor of the motion, except Kirchner who voted no.

Upon the recommendation of the Public Works Committee, Purrington moved, Ritter seconded, the proper city officials be authorized to acquire the following properties from the Chicago Northwestern Railroad: Parcel No. 1 adjacent to Tiger Lake and the Fire Station, \$4,641; Parcel No. 2, Southview Drive Crossing, \$810; Parcel No. 3, 8th Street Crossing, \$810; and Parcel No. 4, 11th Street Crossing, \$1,620. Supplemental appropriations from the contingency account in the amount of \$4,641 to account no. 101-51.001-530 Fire Building Administration and Maintenance; and \$3,240 to account no. 101-53.010-530 Street System Improvements were also approved. All voted in favor of the motion.

REGULAR MEETING - APRIL 5, 1982 (CONT'D.)

Mr. Duane Aden, City Engineer, reviewed with the council the Engineer's Feasibility Report on public improvement projects for construction in 1982 as ordered by Resolution Number 525, Second Series. This feasibility report outlines the proposed cost benefits, assessment rates and feasibility for grading, curb & gutter, gravel base, bituminous surfacing, storm sewer and watermain on North 7th Street from the Redwood River Diversion Channel to Erie Road. Part of this project will be privately assessed, however the greater portion of this project will be included in the tax increment financing project as being proposed for the development of former Wastewater Treatment Ponds 2 & 3. Purrington moved, Ritter seconded, the adoption of RESOLUTION NUMBER 528, SECOND SERIES and that the reading of the same be waived. Resolution Number 528, Second Series is a resolution receiving the engineer's feasibility report and calling for a hearing on the improvement. The public hearing was set for May 3, 1982. All voted in favor of the motion.

Upon the recommendation of the Personnel Committee, Purrington moved, Schlagel seconded, Marvin Bahn be given additional compensation of \$1,060 for the period of time in which he acted as Director of Public Safety. A policy was also adopted where an individual appointed to temporarily fill a position of a higher lever be granted a salary adjustment of 10% of the previous incumbants salary for the period of time that they perform those duties. All voted in favor of the motion.

Kirchner moved, Breczinski seconded, the bid for the chain link fencing at the softball complex and Legion Field baseball field be awarded to George Jacob, Marshall, Minnesota in the amount of \$32,571.07. The safety fencing along the Channel Parkway will be paid through the softball user fees, the fencing of fields 3 & 4 will be paid for later in the year by the Softball Association, the fencing at the baseball field will be paid by the Baseball Association with the possible assistance from the American Legion. A supplemental appropriation from the contingency for these improvements will be made at the regular meeting held on April 19, 1982. All voted in favor of the motion.

Schlagel moved, Ritter seconded, Jackie Ridlon, Grady Kickul and Robert Maddox be reappointed to the Parks, Recreation and Community Education Board for their second 3 year term to expire February 28, 1985. All voted in favor of the motion.

Purrington moved, Ritter seconded, the proper city officials be authorized to appropriate \$1,400 in the Parks Donation Account toward the purchase of steel doors for the restroom and storage rooms at Liberty Park and Freedom Park. The cost to replace these doors is estimated at \$1,704, the balance of the cost to purchase these steel doors will be paid through the Park Maintenance and Development account. All voted in favor of the motion.

Purrington moved, Kirchner seconded, the adoption of RESOLUTION NUMBER 529, SECOND SERIES and that the reading of the same be waived. Resolution Number 529, Second Series is a resolution establishing the ward and precinct lines within the City of Marshall. All voted in favor of the motion, except Rogalski who voted no.

Schlagel moved, Ritter seconded, the approval of an off-sale non-intoxicating beer license for Mr. Leo Wersal DBA Leo's Fairway Supermarket at 905 East College Drive at a fee of \$30.00. All voted in favor of the motion, except Breczinski who abstained.

Purrington moved, Schlagel seconded, and it was unanimously approved that the following bills be authorized for payment: GENERAL FUND, Voucher No. 73407 through 73574; LIQUOR FUND, Voucher No. 29957 through 29992; WASTEWATER TREATMENT FUND, Voucher No. 2840 through 2864; PARKING SYSTEM FUND, Voucher No. 2630 through 2636; SPECIAL ASSESSMENT FUND, Voucher No. 212; DEBT SERVICE FUND, Voucher No. 1596.

The following building permits previously approved by the City Engineer were confirmed:

Roland Derynck
813 Nuese Lane
Nuese 2nd Add., Block 3, Lot 7
Storage & Rec room in Basement
\$1,000

Charles Lehman & Susan Skramstad
200 East College Drive
Original Plat, Block 13, Lot 6
Flat Wall Sign
\$0

REGULAR MEETING - APRIL 5, 1982 (CONT'D.)

Coudron Construction
1420 East College Drive
McFarland Add., Block 2, Lot 6
Restaurant Loft
\$3,000

Ron Meulebroeck
102 "C" Street
Railroad Add., Part of Block 1
New siding and window replacement
\$1,000

A.L. Struthers Co.
126 North 3rd Street
Original Plat, Block 10, Part of
4 & 5
Projecting sign, \$600

Slagel & Wambeke, Inc.
613 West Lyon Street
Auditors Plat #1, Lot 15
Reconstruct roof & interior finishes
\$35,000

Holy Redeemer School
501 South Whitney
Section 4, SE $\frac{1}{4}$
remodel 36 windows, \$20,100

Edward Waltz
400 South 5th St.
Lennards Add., Block 2, Part of Lot 5
Reside dwelling, \$1,200

Rasmussen Construction
1305 Parkside Drive
Prairieview Estates, Block 2, Lot 3
Dwelling, \$30,000

Leonard DeSchepper
301 West College Dr.
Blakes Add., Part of Block 8
Free standing sign, \$0

Bennie Ridlon
1310 Horizon Drive
Sunrise Park Add., Block 6, Lot 6
Install half bath and shower
\$900

Clifford Dahm
411 Elm Street
Riverside Add., Block 3, Lot 11
Entry, \$5,000

Robert Cole
613 Southview Drive
Eatros Place, Block 5, Lot 9
Bedroom in basement, \$600

Harold Thomasson
404 South 1st St.
Section 9, NW $\frac{1}{4}$
Bathroom and Laundry room
\$1,200

A Ways and Means Committee meeting of the council was set for April 7, 1982 at 12 o'clock noon at Toni's to discuss the land option agreement with the Minnesota Corn Producers.

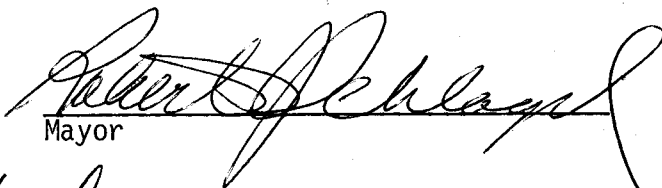
A Legislative and Ordinance Committee meeting of the council was set for April 13, 1982 at 7 o'clock P.M. in the Council Chambers.

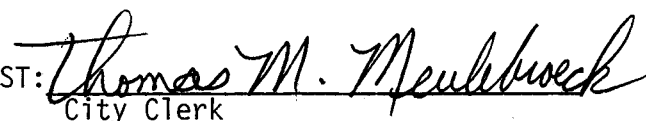
A special meeting of the Common Council of the City of Marshall was set for April 27, 1982 at 7:00 o'clock P.M. in the Council Chambers for a discussion with the City Assessor and Purchasing Agent.

It was the recommendation of Mayor Schlagel that the council members pursue members for the Cable TV Citizen Advisory Committee.

Councilperson Rogalski and Mayor Schlagel along with City Administrator Jim Heller and City Engineer Duane Aden have volunteered to serve on a committee with members of the Marshall Municipal Utilities Commission to work on an agreement between the two organizations, for various charges of the utilities and the franchise fees for payment in lieu of taxes.

Upon motion made by Schlagel, seconded by Ritter, the meeting was adjourned. All voted aye.


Mayor

ATTEST: 
City Clerk

SPECIAL MEETING - APRIL 12, 1982

A special meeting of the Common Council of the City of Marshall was held on April 12, 1982. The meeting was called to order by Mayor Schlagel at 5:00 o'clock P.M. In addition to the Mayor the following members were present: Purrington, Ritter, Breczinski, Halter and Rogalski. Absent: Kirchner.

The purpose of this meeting was to receive bids for the traffic signal system for the corner of Country Club Drive and South 4th Street, and to receive bids for the 1982 improvement projects. Mr. Duane Aden called for any additional bids at this time. There were no additional bids received, therefore the receiving of bids was closed at this time.

The first series of bids received, opened and read were for the Traffic Signal System at the corner of Country Club Drive and South 4th Street. The bids received, opened and read were from:

Nietz Electric Rochester, Minnesota \$54,546.00	Bauer Electric Inc. Winona, Minnesota \$77,825.00
Balling Electric Lakefield, Minnesota \$59,188.00	MJB Inc. St. Cloud, Minnesota \$55,890.00

The second series of bids received, opened and read were for Curb & Gutter Project No. CG 1982A-1. The bids received, opened and read were from:

Buchholtz Construction Marshall, Minnesota \$15,190.75	Darell Runge Construction DBA R & R Construction, Hartford, South Dakota \$15,465.80
--	--

The third series of bids received, opened and read were for Gravel Base Project No. GB 1982A-1. A bid was received, opened and read from:

McLaughlin & Schulz Inc.
Marshall, Minnesota
\$8,650.35

The fourth series of bids received, opened and read were for Bituminous Surfacing Project No. BS 1982A-1. A bid was received, opened and read from:

McLaughlin & Schulz Inc.
Marshall, Minnesota
\$16,032.00

The fifth series of bids received, opened and read were for Sanitary Sewer Project No. SAS 1982A-1. The bids received, opened and read were from:

Bartz Excavating Ivanhoe, Minnesota \$16,066.80	Kuemper Inc. Bird Island, Minnesota \$23,118.40
Friessen Const., Co. Sioux Falls, South Dakota \$25,838.00	Schild Const. Co., Inc. Worthington, Minnesota \$19,980.42
Wallace R. Johlfs Const. Co. Slayton, Minnesota \$19,556.60	Gaub Inc. Oliva, Minnesota \$22,918.00

A bid was received from Torgy's Trenching & Construction Inc., Ashby, Minnesota for Project No. SAS 1982A-1. This proposal did not have any signatures on, therefore it was rejected.

The sixth series of bids received, opened and read were for Sanitary Sewer Project No. SAS 1982A-2. The bids received, opened and read were from:

Bartz Excavating Ivanhoe, Minnesota \$28,271.12	Schild Const. Co., Inc. Worthington, Minnesota \$45,841.92
Kuemper Inc. Bird Island, Minnesota \$38,893.20	Gaub Inc. Oliva, Minnesota \$57,611.00

SPECIAL MEETING - APRIL 12, 1982 (CONT'D.)

The seventh series of bids received, opened and read were for Watermain Project No. W 1982A-1. The bids received, opened and read were from:

Bartz Excavating
Ivanhoe, Minnesota
\$18,393.80

Schild Const.
Worthington, Minnesota
\$20,892.21

Friessen Const. Co.
Sioux Falls, South Dakota
\$23,160.00

Gaub Inc.
Oliva, Minnesota
\$23,790.00

Kuemper Inc.
Bird Island, Minnesota
\$24,883.25

Wallace R. Johlfs Const. Co.
Slayton, Minnesota
\$19,962.50

A bid was received from Torgy's Trenching & Construction Inc., from Ashby, Minnesota, for Project No. W 1982A-1. The proposal did not have any signature on it, therefore it was rejected.

The eighth series of bids received, opened and read were for Storm Sewer Project No. STS 1982A-1. The bids received, opened and read were from:

Bartz Excavating
Ivanhoe, Minnesota
\$126,643.30

Shield Const. Co., Inc.
Worthington, Minnesota
\$134,373.01

Friessen Const. Co.
Sioux Falls, South Dakota
\$157,460.00

Gaub Inc.
Oliva, Minnesota
\$171,077.00

Kuemper Inc.
Bird Island, Minnesota
\$152,568.80

Wallace R. Johlfs Const. Co.
Slayton, Minnesota
\$139,142.50

Severson Tiling Company
Minneota, Minnesota
\$129,926.45

The ninth series of bids received, opened and read were for Storm Sewer Project No. STS 1982A-2. The bids received, opened and read were from:

Bartz Excavating
Ivanhoe, Minnesota
\$3,842.27

Wallace R. Johlfs Const. Co.
Slayton, Minnesota
\$4,469.00

Kuemper Inc.
Bird Island, Minnesota
\$5,972.85

Severson Tiling Co.
Minneota, Minnesota
\$4,501.90

Shield Const. Co., Inc.
Worthington, Minnesota
\$9,642.30

The final series of bids received, opened and read were for Concrete Paving Project No. CP 1982A. The bids received, opened and read were from:

Wagner Building & Supply
Marshall, Minnesota
\$28,123.83

Deutz & Hess
Marshall, Minnesota
\$27,815.28

Bladholm & Hess Const., Inc.
Marshall, Minnesota
\$32,844.00

Robert Carr Co.
Marshall, Minnesota
\$31,379.06

Dulas Const.
Marshall, Minnesota
\$29,876.30

Buchholtz Const.
Marshall, Minnesota
\$29,250.15

Commercial Concrete Inc.
Sioux Falls, South Dakota
\$31,307.50

Upon the request of the City Engineer Duane Aden, Purrington moved, Schlagel seconded, the bids for the 1982 improvement projects be referred to the City

SPECIAL MEETING - APRIL 12, 1982 (CONT'D.)

Engineer for his review and those for the traffic signal system also be referred to the City of Marshall consultants Short-Elliott-Hedrickson Co. All voted in favor of the motion.

Schlagel moved, Ritter seconded, the adoption of RESOLUTION NUMBER 530, SECOND SERIES and that the reading of the same be waived. Resolution Number 530, Second Series is a resolution declaring the cost to be assessed and calling for a public hearing on the proposed assessment. This resolution is to declare the cost to be assessed for the 1982 improvement projects. The public hearing was set for May 3, 1982 at 7:30 P.M. in the Council Chambers. All voted in favor of the motion.

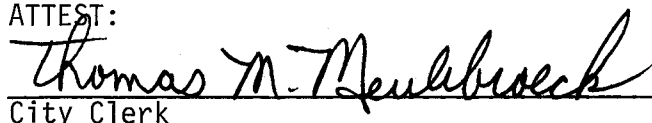
A request was received from the Southwest State University Student Association for a 2 month non-intoxicating liquor license, therefore Schlagel moved, Purrington seconded, the request for a 2 month non-intoxicating liquor license for Southwest State University Student Association be placed on the agenda at this time. All voted in favor of the motion.

Schlagel moved, Ritter seconded, the approval of the 2 month temporary non-intoxicating liquor license for the Southwest State University Student Association at a fee of \$30.00. All voted in favor of the motion.

Upon motion made by Schlagel, seconded by Ritter, the meeting was adjourned. All voted in favor of the motion.


Mayor

ATTEST:


City Clerk

REGULAR MEETING - APRIL 19, 1982

The regular meeting of the Common Council of the City of Marshall was held on April 19, 1982. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the mayor the following members were present: Purrington, Ritter, Breczinski, Halter, Rogalski and Kirchner. Absent: none.

Rogalski moved, Halter seconded, the approval of the minutes of the regular meeting of the Common Council held on April 5, 1982 and the special meeting of the Common Council held on April 12, 1982 as filed with each member. All voted in favor of the motion.

Mayor Schlagel took this opportunity to introduce Millard Ehlers from Ehlers Insurance Agency carriers of worker's compensation insurance for the City of Marshall. Mr. Ehlers briefly discussed the worker's compensation insurance for the period September 30, 1980 through September 30, 1981 and September 30, 1981 through September 30, 1982 with the council. Mr. Ehlers indicated to the council that the period September 30, 1980 through September 30, 1981 the city incurred losses of approximately \$2,700. Due to the small amount of losses incurred, Mr. Ehlers took this opportunity to present to the City of Marshall a dividend for the period September 30, 1980 through September 30, 1981 in the amount of \$13,314.77. Mr. Ehlers indicated to the council the losses for the period September 30, 1981 through September 30, 1982 are somewhat higher than those for the previous period.

Bids were received, opened and read at a special meeting of the Common Council held on April 12, 1982 for the traffic signal system at the corner of Country Club Drive and South 4th Street. These bids were reviewed by the City of Marshall consultants, Short, Elliott, Hendrickson and Co., Inc., and upon their recommendation and that of the City Engineer, Duane Aden, the bid was awarded to Nietz Electric, Rochester, Minnesota in the amount of \$54,546. All voted in favor of the motion.

Schlagel moved, Kirchner seconded, the adoption of ORDINANCE NUMBER 113, SECOND SERIES and that the reading of the same be waived. Ordinance Number 113, Second Series is an ordinance amending certain sections of the City Code, Chapter 2. This

REGULAR MEETING - APRIL 19, 1982 (CONT'D.)

ordinance allows the Civil Defense Director to stock and equip various emergency facilities as directed through budgetary appropriations. All voted in favor of the motion.

Rogalski moved, Breczinski seconded, the adoption of ORDINANCE NUMBER 114, SECOND SERIES and that the reading of the same be waived. Ordinance Number 114, Second Series is an ordinance amending certain sections of the City Code, Chapter 2. This ordinance would allow the Hospital Board to approve purchases and contracts without council approval in amounts up to \$10,000. Any purchases or contracts in excess of \$10,000 would continue to require council approval. All voted in favor of the motion.

Purrington moved, Ritter seconded, the adoption of ORDINANCE NUMBER 115, SECOND SERIES and that the reading of the same be waived. Ordinance Number 115, Second Series is an ordinance amending certain sections of the City Code, Chapter 2. This ordinance provides the city with increased flexibility to sell surplus city property when it is no longer of value to the city. All voted in favor of the motion.

Schlagel moved, Ritter seconded, the adoption of ORDINANCE NUMBER 116, SECOND SERIES and that the reading of the same be waived. Ordinance Number 116, Second Series is an ordinance amending certain sections of the City Code, Chapter 3, regarding Cable Television Franchises in the City of Marshall, Minnesota. This ordinance allows for a \$1.00 per month increase from \$7.50 per month to \$8.50 per month for the basic service charge and also provides for a franchise fee of 3% of annual gross subscriber revenues from basic programming to be payable to the City of Marshall. Ritter, Rogalski, Kirchner and Schlagel voted in favor of the motion. Purrington, Halter and Breczinski voted no.

A discussion was held at this time on a variance adjustment permit for Allan French at 613 West Lyon Street. Allan French was requesting a variance adjustment permit to construct an attached garage which would be within 2' of the side property line in lieu of 5' as required by City Code and a 27.3' rear yard variance in lieu of the 33' as required by City Code. Mr. Duane Aden indicated to the council that the Planning Commission's reason for denial on the variance adjustment permit was that the neighbor, LaVerne Sontag's, felt the construction would be too close to the property line. Council members felt that maybe there were some alternatives to the location of constructing a garage at this location. Kirchner moved, Purrington seconded, the request for a variance adjustment permit at 613 West Lyon to construct an attached garage within 2' of the side property line in lieu of the 5' and a rear yard variance of 27.3' in lieu of the 33' as required by City Code be tabled until Allan French and LaVerne Sontag can possibly work out an agreement at this location. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Breczinski moved, Schlagel seconded, the variance adjustment permit be approved for J. F. Taylor & Sons for the apartment buildings at 806 and 904 Hackberry Drive to permit a front yard setback of 18'6" in lieu of 25' as required by City Code. This variance adjustment permit will permit Mr. Taylor to enclose the areas under the existing canopies that exist at the entrances of these 2 apartment buildings. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Purrington moved, Schlagel seconded, the introduction of an ordinance to rezone land north of 11th Street including Lots 3, 4, 5, & 6 of Block 1 in proposed Airwest Acres to I-2 from I-1 and all other areas in the Airwest Acres to remain at I-1. Mr. Sandy Crow indicated he intended to use this area for casting concrete slabs and that there were no intentions at this time for construction of any facilities at this location. All voted in favor of the motion, except Rogalski who voted no.

Breczinski moved, Halter seconded, the approval of an off-sale non-intoxicating liquor license for Mike's Bait and Sporting Goods at 105 South 5th Street. Councilperson Purrington was opposed to the granting of this license, since he felt that it was in competition with the City of Marshall Liquor Store. Councilperson Rogalski felt that the city should have some control as to what type of business should be allowed off-sale non-intoxicating liquor licenses. The fee for this license for the remainder of 1982 is \$21.25. Those voting in favor of the license were Halter, Breczinski, Schlagel and Ritter. Voting against were Purrington, Rogalski and Kirchner.

Mr. Tom Thelan, Field Representative for the League of Minnesota Cities, was in attendance at the meeting to discuss with the council activities of the League of Minnesota Cities and past and future legislative actions. Mr. Thelan took this

REGULAR MEETING - APRIL 19, 1982 (CONT'D.)

opportunity to thank the City of Marshall for its support in the construction of the League of Minnesota Cities Building.

Schlagel moved, Ritter seconded, the proper city officials be authorized to advertise for bids for the bituminous surfacing of the parking lot at the South end of the softball complex along the Channel Parkway. These bids are to be received at the regular council meeting to be held on May 3, 1982 at 7:30 P.M. All voted in favor of the motion.

Purrington moved, Ritter seconded, the approval of a supplemental appropriation from contingency in the amount of \$1,008 to account number 101.58.002.560 GED/ABE Program for the purchase of a typewriter to be used by the GED program director. There is no cost to the city for this appropriation which is 100% grant eligible. All voted in favor of the motion.

Bids were received, opened and read at the regular meeting held on April 5, 1982 for the chain link fencing at the softball complexes which would provide a barrier between the Channel Parkway and the softball fields and also included was fencing for fields no. 3 & 4 as well as other miscellaneous fencing at this location. These bids also included chain link fencing for the baseball field at Legion Field. The bids for this project were in excess of the available and anticipated funds, therefore the total cost of the approved bid is expected to be \$21,483.56. The work is intended to be reduced by reducing the amount of safety fencing at the softball complex, the fencing of fields 3 & 4 and dug out fencing as well as the batting cage at Legion Field. Schlagel moved, Ritter seconded, the approval of a supplemental appropriation from contingency in the amount of \$21,184 to account number 101.59.006.530 Park Maintenance and Development. Supplemental receipts were also recognized at this time of which \$11,075 will come from the Softball Association and the Baseball Association with the remaining \$10,109 coming from the budgeted softball complex user fee revenue. All voted in favor of the motion.

Purrington moved, Ritter seconded, and it was unanimously approved that the following bills be authorized for payment: GENERAL FUND, Voucher No. 73575 through 73706; DEBT SERVICE FUND, Voucher No. 1597 through 1598; REVENUE SHARING FUND, Voucher No. 218 through 220; SPECIAL ASSESSMENT FUND, Voucher No. 213 through 214; PARKING SYSTEM FUND, Voucher No. 2637 through 2643; LIQUOR FUND, Voucher No. 29993 through 30017; and WASTEWATER FACILITIES FUND, Voucher No. 2865 through 2892.

The following building permits and mobile home permit previously approved by the City Engineer were confirmed:

Leonard DeSchepper
301 West College Drive
Blakes Add., Part of Block 8
Flat building sign, \$200

McDonalds
1200 East College Drive
Section 3, Part of SW $\frac{1}{4}$
Playground partition, \$1,100

Babcock Construction
103 Gray Place West
Nielsen's 6th Add., Block 4, Lot 7
Reside dwelling, \$3,700

E. A. Charlebois
1211 East College Drive
Section 3, NW $\frac{1}{4}$
Retail store, \$5,100

Schwan's Sales Enterprises
Hwy. 19 West
Section 6, SE $\frac{1}{4}$
Office in "T" Hangar \$3,500

Allen J. Carriere
1400 East College Drive
McFarland Add., Block 1, Lot 1
Drive-in Retail store, \$10,000

Kesteloot & DeVries
704 Nuese Lane
Nuese 2nd Add., Block 1, Lot 4
Dwelling, \$78,000

Myrna Kjolberg
329 Timberlane Drive
Install mobile home

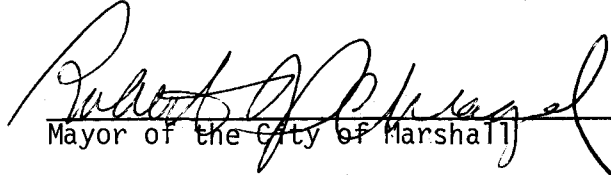
Councilperson Purrington briefly discussed with the council a meeting that was held on April 19, 1982 in regard to the flood plain ordinance. He suggested that a letter be sent to the county commissioner thanking them for their support in regard to the flood plain protection project.

A meeting was scheduled for Wednesday, April 21, 1982 at 7:00 o'clock P.M. at the Marshall Municipal Utilities for those members appointed to the committee to work on an agreement between the two organizations for various charges of the utilities and the franchise fee for payment in lieu of taxes.

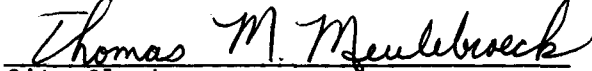
REGULAR MEETING - APRIL 19, 1982 (COND'T.)

There still existed some question in regard to the utility easements across the property the City Council authorized the proper city officials of the City of Marshall to purchase from the Chicago Northwestern Railroad. Mr. Heller indicated he would research this concern and respond.

Upon motion made by Schlagel, seconded by Ritter, the meeting was adjourned. All voted aye.


Mayor of the City of Marshall

ATTEST:


City Clerk

REGULAR MEETING - MAY 3, 1982

The regular meeting of the Common Council of the City of Marshall was held on May 3, 1982. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the mayor the following members were present: Purrington, Ritter, Breczinski, Halter, Rogalski and Kirchner. Absent: none.

Mayor Schlagel called to order the annual Board of Review at this time and called upon City Assessor Calvin Barnett to answer any questions that were brought before the Board of Review.

Mr. Larry Hyatt, 620 West Main, Plate No. 1009, was concerned as to whether he was responsible for the non-homestead taxes in 1982 and why the notice of valuation adjustment for 1982 showed non-homestead classification.

Mr. Gene Meade on behalf of Blanch Meade questioned the valuation increase for the property at 302 West College Drive, Plates No. 1401 & 1404.

Mr. Gary Gould, 1300 Westwood Drive, Plate No. 3518-19 questioned the assessor's assessed valuation of this parcel of property for assessment years 1981 and 1982. Mr. Gould felt his property was over assessed in comparison to that of the other parcels in this area.

Mr. Roger Przybys, 306 Lawrence Street, Plate No. 2515, indicated he had paid \$12,000 for this parcel of property in November, 1981 and he was questioning the current assessor's valuation of this parcel of property of \$13,350.

Mr. Calvin Barnett received a number of questions from people who were not in attendance at the meeting. Ms. LeRoy Conyers on behalf of Thomas Halbach inquired whether or not the property at 605 North 4th Street, Plate No. 3622.50 which is in the Thomas Halbach name, if it is eligible for the homestead credit for the assessment year 1982.

Mr. James Leach of 606 North 6th Street, Plate No. 3006, was requesting the assessor to reappraise his property. This property has been listed on the market for \$44,000 for 1½ years with Marshall Realty Center and has not sold. The current assessor's estimated market value for this parcel of property is \$40,100.

Mr. Ron Velde requested the City Assessor to reappraise a mobile home on Lot 5 of the Marshall Trailer Court, a mobile home at 313 Timberlane, and to reappraise a duplex at 102 East Saratoga Street.

Mr. John Hasbrouck, 306 Westwood Drive, Plate No. 3518-16, was requesting the City Assessor to reappraise his property in light of the fact that in November of 1981 he paid \$94,800 for this parcel of property and the current assessed valuation is \$107,200.

Henry Polman Jr., 623 South 4th Street, Plate No. 3622-17, was requesting the City Assessor to reappraise this parcel of property.

REGULAR MEETING - MAY 3, 1982 (CONT'D.)

Mr. Mel Hardy, 115 South 5th Street, Plate NO. 656, was requesting an explanation of why there was such a large increase in the estimated market value over the past several years for this parcel of property.

Mr. Barnett agreed to do an investigation of all parcels in question and report back to the council on his findings and decision. Mr. Barnett also requested that a council representative meet with him to discuss the questions on the valuation of property especially on those in the area of his residence.

The regular meeting of the Common Council of the City of Marshfield reconvened at this time.

Kirchner moved, Ritter seconded, the approval of the minutes of the regular meeting of the Common Council held on April 19, 1982 as filed with each member. All voted in favor of the motion.

A public hearing was held at this time for the 1982 Improvement Projects. Mr. Duane Aden, City Engineer, explained to the property owners in attendance the proposed assessment roll for each project. Mr. Aden reviewed with the council the curb & gutter, gravel base, sanitary sewer, and watermain improvements to Parkside Drive and Sunrise Lane in Prairieview Estates. A letter was received from the owners of Prairieview Estates, Mark & Marcelle Nuese, waiving their rights to appeal in regard to the cost of these improvements and requesting that the contracts for these improvements be awarded so the construction could be started.

There were no questions or objections to the bituminous surfacing in Viking Addition.

Mr. Aden indicated to the council that $\frac{1}{2}$ of the cost of the concrete pavement for the Alley in Block 3 & 4, Original Plat lying between West College Drive and South 4th Street would be assessed to the city. Mr. Bob Lage of Kay's Shoes Store was concerned what the cost would be to the properties along this concrete pavement improvement. Mr. Aden indicated that it would be approximately \$21.28 per front foot.

Mr. Aden indicated to the council that all the costs of the sanitary sewer project on South 6th Street from Main Street to Swift & Company Plant would be assessed to the city except \$5,000 which would be assessed to Swift & Co. The amount to be assessed to the city would be paid from the Wastewater Treatment Facility Fund.

A discussion was held at this time on the Crossroads Storm Sewer System. Ms. Susan Sullivan on behalf of her mother, Mrs. John Boyer, presented to the council a letter written by Mrs. John Boyer objecting to this project. Mrs. Boyer objected due to the fact that she felt the assessment was much larger than the benefits that would be derived from the project, she also felt the proper procedures were not followed and improper notice was given.

Mr. Willard Engels on behalf of the Lyon County Oil Company was concerned as to how necessary it was to do the Crossroads Storm Sewer improvement in 1982. Mr. Aden felt that it was a compromise project to solve some of the water problems in this area especially in the area of Hy-Vee. Ms. Susan Sullivan felt that by pumping the water from the Hy-Vee area to Lyon County Coop and from Lyon County Coop to the Boyer property that this was not the natural flow of water. Mr. Aden informed her and others in attendance at the meeting that the natural flow of water has not been changed even though the pumping process is being performed.

The last improvement project discussed was the storm sewer for Country Club Drive. A letter was received from Mr. John Williams objecting to the assessment levied on his property. Mr. John Williams, 1208 Westwood Drive was in attendance at the meeting to also express his objection to the assessment primarily due to the fact that he is located in the flood plain and he can not develop this area at this time. Mr. Aden informed those in attendance at the meeting it is possible for the assessment to be established and deferred and the project proceed with the assessment being deferred until such time as future development may be done in this area.

With no objections on Project No. CG 1982A-1, GB 1982A-1, SAS 1982A-1, and W 1982A-1 in regard to improvements in Prairieview Estates, Ritter moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 531, SECOND SERIES and that the reading of the same be waived. Resolution Number 531, Second Series is a resolution approving the assessment roll for Project No. CG 1982A-1, GB 1982A-1, SAS 1982A-1 and W 1982A-1 setting the interest rate at $12\frac{1}{2}\%$ with an 8 year payment period and with no interest charged if paid prior to September 1, 1982. All voted in favor of the motion.

REGULAR MEETING - MAY 3, 1982 (CONT'D.)

With no objections to Project No. BS 1982A-1, Rogalski moved, Purrington seconded, the adoption of RESOLUTION NUMBER 532, SECOND SERIES and that the reading of the same be waived. Resolution Number 532, Second Series is a resolution approving the assessment roll on Project No. BS 1982A-1 and setting the interest rate at 12½% with an 8 year payment period with no interest charged if paid prior to September 1, 1982. All voted in favor of the motion.

With no objections on Project No. CP 1982A-1, Purrington moved, Ritter seconded, the adoption of RESOLUTION NUMBER 533, SECOND SERIES and that the reading of the same be waived. Resolution Number 533, Second Series is a resolution approving the assessment roll on Project No. CP 1982A-1 and setting the interest rate at 12½% with an 8 year payment period and no interest charged if paid prior to September 1, 1982. All voted in favor of the motion.

With no objections to Project No. SAS 1982A-2, Purrington moved, Rogalski seconded, the adoption of RESOLUTION NUMBER 534, SECOND SERIES and that the reading of the same be waived. Resolution Number 534, Second Series is a resolution adopting the assessment roll for Project No. SAS 1982A-2 and setting the interest rate at 12½% with an 8 year payment period and that no interest be charged if paid prior to September 1, 1982. All voted in favor of the motion.

Objections had been received from approximately 60% of the area being assessed for the Crossroad Storm Sewer System. Mayor Schlagel questioned the need to install the improvement at this time, since there were such a high percentage of objections to the improvement. Willard Engels on behalf of Lyon County Coop questioned whether the Lyon County Coop would benefit by the \$35,000 being assessed to Lyon County Coop for this improvement and felt that with the economy as it is, that it is not justified to do this improvement at this time. Schlagel moved, Rogalski seconded, the Crossroad Storm Sewer System Improvement Project be deferred. All voted in favor of the motion.

A discussion was held at this time on the Storm Sewer Project along Country Club Drive. Councilperson Rogalski was concerned as to how and when the assessments for this property would be assessable if they are deferred at this time. Mr. Aden indicated that the benefits for this improvement are not there today but at such time that the property is removed from the flood plain, platted and developed, this improvement would be assessable at that time. Purrington moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 535, SECOND SERIES and that the reading of the same be waived. Resolution Number 535, Second Series is a resolution approving the assessment roll on Project No. STS 1982A-2 and setting the interest rate at 12½% with an 8 year payment period and that no interest be charged if paid prior to September 1, 1982 and that the assessments on parcels 5509 and 3518-51 be deferred until such time that this property is removed from the flood plain, platted and development begins at which time the improvement for storm sewer would be assessable. All voted in favor of the motion.

A public hearing was held at this time on the improvements of curb & gutter, street grading, gravel base, bituminous surfacing, watermain and storm sewer on North 7th Street from the Redwood River Diversion Channel to Erie Road. Schlagel moved, Brezczinski seconded, the adoption of RESOLUTION NUMBER 536, SECOND SERIES and that the reading of the same be waived. Resolution Number 536, Second Series is a resolution ordering an improvement and approving the plans and specifications on Project No. CG 1982B, SG 1982B, GB 1982B, BS 1982B, W 1982B and STS 1982B for North 7th Street from the Redwood River Diversion Channel to Erie Road. All voted in favor of the motion.

A bid was received, opened and read at this time from McLaughlin & Schulz, Inc., of Marshall, Minnesota, in the amount of \$16,000.00 for bituminous surfacing on the parking facilities at the southerly side of the Marshall Softball Complex. This bid was referred to the City Engineer for his review.

A discussion was held at this time on a proposed ordinance which would rezone four lots in the proposed Airwest Acres from the present zoning classification of I-1 to I-2. Mayor Schlagel read a letter received from Bob and Dorothy Walser who were opposed to rezoning this area from I-1 to I-2. The Walsers were opposed to the rezoning of this area since they felt that if it was approved that it would warrant future expansion in this area and that it would drastically reduce the value of their property. Mr. Marv Williams, a resident in this area, also spoke on behalf of the property owners in the area and indicated that they felt this property should stay I-1 or be returned to agricultural. Councilperson Rogalski was not convinced at this time that rezoning of this property was warranted and that spot zoning would not benefit the City of Marshall and that if this parcel was not rezoned it would not create an economic hardship for Sandy Crow. Rogalski moved, Kirchner seconded, the proposed ordinance to rezone the four lots in the

REGULAR MEETING - MAY 3, 1982 (CONT'D.)

proposed Airwest Acres from I-1 to I-2 be rejected. Purrington moved the action to adopt the ordinance to rezone this area be tabled at this time. Due to lack of a second, this motion died. A vote was taken on the rejecting of the ordinance. All voted in favor of rejecting the ordinance, except Purrington and Ritter.

Upon a recommendation of the Legislative and Ordinance Committee, Kirchner moved, Halter seconded, the introduction of an ordinance amending certain sections of the City Code Chapter 6. This ordinance provides for the regulation of peddlers, solicitors and transient merchants. Councilperson Ritter was opposed to the introduction of this ordinance since he felt that all city fees and bond requirements should be reviewed and be consistent instead of reviewing each license individually. All voted in favor of the introduction of the ordinance except Ritter who voted no.

Schlagel moved, Ritter seconded, the approval of a 4 month temporary non-intoxicating beer license for the Marshall Baseball Association as at fee of \$60.00. All voted in favor of the motion.

A request was received from Mike Davis on behalf of the Marshall Radio Control Club to use a portion of the former municipal dump ground area for the use of flying model airplanes. A concern was expressed by the council members as to whether this type of activity would interfere with television frequencies in the City of Marshall. Mr. Davis indicated that the distance they would be located from the City of Marshall would not interfere with the frequencies for television for the residents of the City of Marshall. Purrington moved, Schlagel seconded, the proper city officials be authorized to enter into a lease agreement with the Marshall Radio Control Club to lease the old municipal dump ground area on the North 7th Street for the club to use in the flying of model airplanes. All voted in favor of the motion.

Schlagel moved, Ritter seconded, the proper city officials be authorized to enter into a flow distribution agreement in regard to the Redwood River at Marshall, Minnesota. This agreement would be between Lyon County, The Corp of Engineers, The Department of Natural Resources and the City of Marshall. This agreement provides a procedure which will be used to study the proper distribution flow in the Redwood River as it relates to the overflow conditions in the development of a flood control project. All voted in favor of the motion.

Purrington moved, Ritter seconded, the approval of a supplemental appropriation from contingency in the amount of \$2,000 to account number 101-59.006-530 Park Maintenance and Development for the replacement of a water line from Highway 19 to the swimming pool and then to the new maintenance building. All voted in favor of the motion.

Purrington moved, Schlagel seconded, the approval of change order G-1 for the maintenance building for the Marshall Parks Department. This change order provides for masonry wall expansion joints and additional backfill in the amount of \$676.00. All voted in favor of the motion.

Mr. Duane Aden, City Engineer, reviewed with the council detailed plans for the Municipal Liquor Store addition which consists primarily of the construction of an area to be used for warehousing and an increased showroom area. Schlagel moved, Ritter seconded, the proper city officials be authorized to receive bids for the Municipal Liquor Store addition at the regular City Council meeting to be held on May 17, 1982, at 7:30 P.M. Rogalski, Kirchner, Schlagel and Ritter voted in favor of the motion. Purrington, Halter and Breczinski voted no.

Purrington moved, Schlagel seconded, David Frey, Wastewater Treatment Superintendent, be allowed to attend the Central States Water Pollution Control Association meeting in Bloomington, Illinois, on May 19 through May 21, 1982. Mr. Frey will be the individual from the State of Minnesota receiving the 1981 Operations Award from the Central States Water Pollution Control Association. Mr. Frey is to be reimbursed for the appropriate expenses associated with the conference. All voted in favor of the motion.

Breczinski moved, Purrington seconded, the approval of a supplemental appropriation from contingency to the Municipal State Aid Construction Account in the amount of \$602,022.00 for the construction cost to Country Club Drive. A portion of the funds were received from the State of Minnesota for this project in December of 1981. All voted in favor of the motion.

Rogalski moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 537, SECOND SERIES and that the reading of the same be waived. Resolution Number 537, Second Series is a resolution requesting establishment of Erie Road street crossing across Burlington Northern Railroad right-of-way. This resolution will

REGULAR MEETING - MAY 3, 1982 (CONT'D.)

authorize the proper city officials to take appropriate steps as necessary for the purpose of obtaining new crossing on Erie Road across the Burlington Northern Railroad and to make a formal request of the Burlington Northern Railroad for the purpose of developing an agreement between the railroad and the city for a new grade crossing and to take whatever legal steps or use whatever negotiating powers that are available in order to obtain this crossing. All voted in favor of the motion.

A special meeting of the Common Council was set for May 17, 1982 at 5:30 P.M. to review the applications and interview the applicants for the Airport Commission, Human Rights Commission, Library Board and Police Commission.

Purrington moved, Rogalski seconded, and it was unanimously approved that the following bills be authorized for payment: GENERAL FUND, Voucher No. 73707 through 73807; LIQUOR FUND, Voucher No. 30018 through 30043; WASTEWATER FACILITIES FUND, Voucher No. 2893 through 2909; PARKING SYSTEM FUND, Voucher No. 2644 through 2651; DEBT SERVICE FUND, Voucher No. 1599; SPECIAL ASSESSMENT FUND, Voucher No. 215.

The following building permits previously approved by the City Engineer were confirmed:

Steve Johnson
215 North High Street
DePover-Ogle Add., Block 1, Lot 6
Enclose existing porch, \$841

Eugene Pequin
306 Rainbow Drive
Section 5, Part of SE¼
Deck, \$600

Slagel & Wambeke, Inc.
1414 East College Drive
Section 3, Part of SE¼
New partitions, \$13,000

Babcock Construction
208 South 1st Street
Blakes Add., Block 6, Lot 13
Reside dwelling, \$3,790

Coudron Construction
803 Nuese Lane
Nuese 2nd Add., Block 3, Lot 2
Dwelling, \$65,000

Babcock Construction
908 Poplar Street
Eastside Add., Block 3, Lot 2
Reside dwelling, \$3,080

Ritter moved, Rogalski seconded, the adoption of RESOLUTION NUMBER 538, SECOND SERIES and that the reading of the same be waived. Resolution Number 538, Second Series is a resolution awarding the bid for curb and gutter Project No. CG 1982A-1 to Buchholtz Construction, Marshall, Minnesota in the amount of \$15,190.75; awarding the bid for gravel base Project No. GB 1982A-1 to McLaughlin & Schulz, Inc., Marshall, Minnesota in the amount of \$8,650.35; awarding the bid for sanitary sewer Project No. SAS 1982A-1 to Bartz Excavating, Ivanhoe, Minnesota in the amount of \$16,066.80; and awarding the bid for watermain Project No. W 1982A-1 to Bartz Excavating, Ivanhoe, Minnesota in the amount of \$18,393.80. All voted in favor of the motion.

Purrington moved, Ritter seconded, the bid be awarded to McLaughlin & Schulz, Inc., of Marshall, Minnesota in the amount of \$16,000 for the bituminous surfacing of the parking facility on the southerly side of Marshall Softball Complex and the approval of a supplemental appropriation from the contingency in the amount of \$3,700 to account number 101-59.006-530 Park Maintenance and Development. All voted in favor of the motion.

Councilperson Halter relayed some complaints to the council that he had been receiving from the Village Park Trailer Court, in regard to the cleanliness of the park, the owner not maintaining some of the trailers within the park and the possibility of some type of building structure for the tenants in this area for storm protection. Mr. Halter was informed that these problems would have to be worked out with the owner of this trailer court. Councilperson Steve Halter took this opportunity to submit his resignation as a council member with the City of Marshall. Mr. Halter will be moving from the City of Marshall to take a job somewhere else.

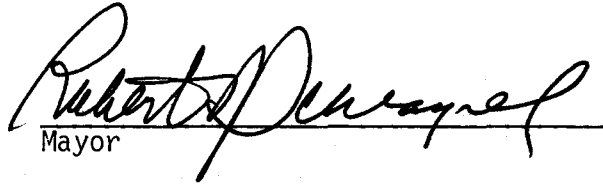
Jim Heller, City Administrator, informed the council that the Marshall Municipal Liquor Store would be celebrating it's 10th anniversary in June and that there would be some special events taking place at that time.

Mr. Heller also informed the council that the Employee Personnel Committee has been reinstated and will be in the process of evaluating various job positions within the City of Marshall. It seemed to be the general consensus of the council that they were in favor of the reinstating of the Employee Personnel Committee and then evaluating the various job positions within the City of Marshall pay plan.

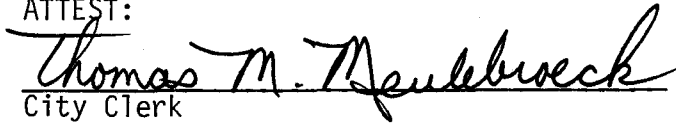
REGULAR MEETING - MAY 3, 1982 (CONT'D.)

Councilperson Ritter offered to be the representative for the council to assist Calvin Barnett, City Assessor, in evaluating the appraised value for the properties in question in Westwood Acres near Calvin Barnett's residence.

Upon motion made by Schlagel, seconded by Ritter, the meeting was adjourned. All voted in favor of the motion.


Mayor

ATTEST:


City Clerk

REGULAR MEETING - MAY 17, 1982

The regular meeting of the Common Council of the City of Marshall was held on May 17, 1982. The meeting was called to order at 7:33 P.M. by Mayor Schlagel. In addition to the mayor the following members were present: Purrington, Ritter, Breczinski, Rogalski and Kirchner. Absent: none.

Rogalski moved, Ritter seconded, the approval of the minutes of the regular meeting of the Common Council held on May 3, 1982 as filed with each member and that the reading of the minutes be waived. All voted in favor of the motion.

Bids were received, open and read at this time for the general construction of the storage room addition to the Marshall Municipal Liquor Store. The bids received, opened and read were from Space Development Company, Marshall, Minnesota in the amount of \$37,587; Bladholm and Hess Construction Inc., Marshall, Minnesota in the amount of \$32,855; Wagner Building Supply, Dick Doom, Marshall, Minnesota, in the amount of \$34,008; SWesta Builders, Inc., Marshall, Minnesota in the amount of \$39,700; and Dulas Construction, Marshall, Minnesota in the amount of \$41,075.

Bids were also received, opened and read at this time for the electrical construction for the store room addition to the Marshall Municipal Liquor Store. Bids received, opened and read were from Obe's Electric Service, Marshall, Minnesota in the amount of \$2,585; Coleman Electric, Marshall Minnesota in the amount of \$1,795; and Olsen Electric Service Company, Inc., Marshall, Minnesota in the amount of \$1,697.

The bids received, opened and read for the general construction and electrical construction for the store room addition to the Marshall Municipal Liquor Store were referred to the City Engineer and Municipal Liquor Store manager for their review.

Purrington moved, Rogalski seconded Mr. Alan French be granted a variance permit at 613 West Lyon Street for a rear yard variance of 27.3 feet in lieu of the 33 feet as required by City Code. This permit will allow Mr. French to construct an attached garage at this location. All voted in favor of the motion.

Rogalski moved, Kirchner seconded the adoption of ORDINANCE NUMBER 117, SECOND SERIES and that the reading of the same be waived. ORDINANCE NUMBER 117, SECOND SERIES is an ordinance amending certain sections of the city code chapter 6, which provides for the regulation and licensing of transient merchant, peddlers and solicitors that do not have a place of business located within the community. All voted in favor of the motion except Ritter who voted no.

Upon recommendation of the Planning Commission, Schlagel moved, Ritter seconded a one year home occupation conditional use permit for Beauty Shop be granted to Gail M. Murphy of 811 Boxelder Avenue. All voted in favor of the motion.

Upon recommendation of the Planning Commission, Purrington moved, Schlagel seconded a one year home occupation conditional use permit be granted to Lois

REGULAR MEETING - MAY 17, 1982 (CONT'D.)

Myers of 402 Elaine Avenue to conduct a cake baking business in her home. All voted in favor of the motion.

An application had been received from Micah Forstein of Manhattan, Kansas, for a transient merchants license for a Street Treat Ice Cream business. This business would be conducted from street to street, which per the Ordinance Number 117, Second Series does not require a transient merchant license, therefore, there was no action taken on this item.

Rogalski moved, Ritter seconded a motor vehicle towing and storage license be granted to Big Bob's Service of 705 West Main for the period of January 1, 1982 thru December 31, 1982 at a fee of \$150. All voted in favor of the motion.

Schlagel moved, Purrington seconded the receipt of a petition to develop a "Fifty-One Acre Community Park" on the easterly side of the city be acknowledged at this time. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Purrington moved, Breczinski seconded the introduction of an ordinance amending Chapter 11 of the City Code relating to zoning. This ordinance allows for the rezoning of the Wastewater Treatment ponds number two and three from R-A to I-2 as proposed for the corn producers plant and other future development in the area. This rezoning is in conformance with the Comprehensive Plan and the Future Land Use Map. All voted in favor of the motion.

Rogalski moved, Schlagel seconded the introduction of an ordinance amending certain sections of the City Code Chapter 3 regarding Cable Television franchises in the City of Marshall, Minnesota. All voted in favor of the motion.

Rogalski moved, Breczinski seconded that the proper city officials be authorized to enter into a contract with Southwest State University for a period of one year beginning July 1, 1982 for the amount of \$49,190.16 for traffic control and police security at the Southwest State University campus. All voted in favor of the motion.

Mayor Robert Schlagel took this opportunity to explain some of the misunderstandings that have taken place in regard to the addition to the Marshall Municipal Liquor Store. Mayor Schlagel indicated to the Council and others in attendance at the meeting that the intent for the addition to the Marshall Municipal Liquor Store was not to increase sales, but to increase the space to allow for better and a larger variety of merchandise, which would provide a greater profit on the new merchandise rather than the items that are currently in stock now.

Schlagel moved, Rogalski seconded that the bid for the general construction of the store room addition to the Marshall Municipal Liquor Store be awarded to Bladholm and Hess Construction, Inc., Marshall, Minnesota in the amount of \$32,855 and that the bid for the electrical construction be awarded to Olsen Electric Service Co., Marshall, Minnesota in the amount of \$1,697.

Councilperson Breczinski felt that by increasing the storage space at the Marshall Municipal Liquor Store was not the best way to increase profits but rather by remodeling and increasing the floor space, they could increase the profits just as well.

Mr. Steve Melvin felt there was an inconsistency with the spending of the money for this addition. Mr. Melvin felt that the money should be spent on the controlling of alcoholism rather than that of providing for additional space for the selling of more alcohol.

There was some concern at this time in regard to the return of the investment on this addition. Ritter, Schlagel and Rogalski voted in favor of awarding the bids. Purrington, Kirchner and Breczinski voted no. Councilperson Kirchner made an alternative request that bids be received to remodel the area only. James VanHyfte, manager of the Marshall Municipal Liquor Store, felt that the remodeling would not solve any problems at the Liquor Store and that if they were going to consider just remodeling, he would recommend they do nothing at this time.

Kirchner moved, Shalagel seconded the awarding of the bids for the Marshall Municipal Liquor Store be reconsidered at this time. All voted in favor of the motion.

REGULAR MEETING - MAY 17, 1982 (CONT'D.)

Schlagel moved, Ritter seconded the bid for the general construction of the store room addition to the Marshall Municipal Liquor Store be awarded to Bladholm and Hess Construction, Inc., Marshall, Minnesota in the amount of \$32,855 and the bid for electrical construction for the store room addition to the Marshall Municipal Liquor Store be awarded to Olsen Electric Service, Inc., Marshall, Minnesota in the amount of \$1,697. All voted in favor of the motion except Breczinski and Purrington, who voted no.

Mr. Burdell Wessels from Corporate Risks Managers, Inc. insurance consultant for the City of Marshall, was in attendance at the meeting. Schlagel moved, Ritter seconded a discussion for a one year contract with Corporate Risks Managers, Inc. for insurance services be placed on the agenda at this time. All voted aye.

There was a concern expressed by the Council members in regard to the Marshall Municipal Utilities and the Weiner Memorial Medical Center paying a portion of Corporate Risks Managers, Inc. annual fee. City Attorney, Brian Murphy, also requested that maybe the insurance consultants work in depth in certain areas every year.

Purrington moved, Schlagel seconded the proper city officials be authorized to enter into a contract with Corporate Risks Managers, Inc. for insurance services for one year effective June 1, 1982 in the amount of \$4,800. All voted in favor of the motion.

A discussion was held at this time on a request for a supplemental appropriation on various program modifications to the Minnesota/Posse Computer Program. These modifications would provide for an increase speed of data entry, increased accuracy, and increased amount of information available on various records. Councilperson Kirchner was against the supplemental appropriation and felt the City could not continue peace mealing to the computer system. She felt that any supplemental appropriation should be considered by the Ways and Means Committee at budget time. Schlagel moved, Kirchner seconded the request for a supplemental appropriation for program modification to the Minnesota/Posse Computer Program be denied. All voted in favor of the motion except Purrington who voted no.

Schlagel moved, Purrington seconded the adoption of RESOLUTION NUMBER 539, SECOND SERIES and that reading of the same be waived. RESOLUTION NUMBER 539, SECOND SERIES is a resolution declaring a vacancy on the Common Council and providing for a special election. This vacancy was created by the resignation of Steve Halter in Ward 2. Filings for this office began at 8:00 A.M. on Tuesday, May 18, 1982 and close at 5:00 P.M. on Friday, May 28, 1982. The election for this position will be held on June 15, 1982. All voted in favor of the motion.

An application was received at this time for an on-sale liquor license from Joseph V. Bot doing business as The Gambler at 303 West Main Street. Purrington moved, Breczinski seconded a public hearing be set for June 7, 1982 at 7:30 P.M. in regard to the on-sale liquor license for Joseph V. Bot doing business as The Gambler at 303 West Main Street. Mr. Bot indicated to the Council that he intends to have the title of the property at 303 West Main Street prior to the public hearing to be held on June 7, 1982. All voted in favor of the motion.

A meeting was held on Monday, May 10, 1982 in which the Transportation Committee of the Council met with officials of the Minnesota Department of Transportation and representatives of interested businesses in the community concerning the Minnesota Ride Share Program. Mr. Jim Heller, City Administrator, reviewed the Ride Share Program with the Council members and those in attendance at the meeting. There is no liability, cost or time incurred by the employer for this program. With this program, an individual would lease a vehicle from Chrysler Corporation for use in car or van pooling which is paid for by other members of the pool. In addition to the energy savings purpose of this program, the Ride Share Program can substitute for the Energy Emergency Plan which is required of all employers of one-hundred or more employees. In the absence of such an Energy Emergency Plan, in case of an energy emergency or shortage, the employer would be forced to go to an automatic 4-day work week. With this program, the Minnesota Department of Transportation would provide the overall administration and coordination to begin the program. Eventually the program would be a self-administrating program, however, someone, somewhere has to be available to receive telephone calls, and inquiries to be included in the program which would result in considerable advertisement. Someone also needs to be involved to handle the matchup of the various persons in the particular pool according to location, working hours, so forth. Councilperson Breczinski indicated that he would meet with the Transportation Committee of the Chamber of Commerce to discuss this program.

REGULAR MEETING - MAY 17, 1982 (CONT'D.)

Due to the resignation of Deputy City Clerk, Ruth Mork, which is effective July 31, 1982, Kirchner moved, Ritter seconded the proper city officials be authorized to advertise for an Accounting Technician with a pay range between \$950 per month and \$1,150 per month. All voted in favor of the motion.

Schlagel moved, Rogalski seconded the following appointments be made to various boards and commissions for terms to commence on June 1, 1982 and to expire as indicated: Airport Commission, the reappointment of David Grong and the appointment of Grant Joy with terms to expire on May 31, 1985; Hospital Board the reappointment of Pat Schultz for a term to expire on May 31, 1987; Human Rights Commission, the reappointment of Jesse Acquire and Karen Sterner and the appointment of Steve Melvin, all to expire on May 31, 1985; Library Board, the reappointment of Aileen Roe and the appointment of Frank Stephens both to expire on May 31, 1985; Planning Commission, the reappointment of Malcolm Tobey for a term to expire May 31, 1985, the appointment of Mike Davis to replace Jerry Mootz and Terry Kuhlman to replace David Hammer for terms to expire on May 31, 1983, and the appointment of Albert Hattis and Steve Behrens for terms to expire on May 31, 1985; Police Civil Service Commission, Dan Archbold to fill the vacancy of Bobby Mazick for a term to expire on May 31, 1983, and Jack Hickerson for a term to expire on May 31, 1985; Utilities Commission, Robert Hirmer to be appointed for a term to expire on May 31, 1987. All voted in favor of the motion.

Purrington moved, Breczinski seconded that Springsteds Incorporated, bond counsel for the City of Marshall be authorized to negotiate the sale of bonds for the 1982 Improvement Projects for the City of Marshall in the amount of \$150,000. The award of the sale of these bonds is to be held at 7:30 P.M. on Monday, June 7, 1982. All voted in favor of the motion.

Schlagel moved, Ritter seconded the adoption of RESOLUTION NUMBER 540, SECOND SERIES and that the reading of the same be waived. RESOLUTION NUMBER 540, SECOND SERIES is a resolution calling for a public hearing on the establishment by the Housing and Redevelopment Authority in and for the City of Marshall of a redevelopment project in a tax increment finance district and on the adoption of a redevelopment plan and tax increment financial plan relating thereto. The public hearing will be held on June 7, 1982. All voted in favor of the motion.

Ritter moved, Schlagel seconded the approval of a 4 month temporary non-intoxicating liquor license for the Marshall Softball Association at a fee of \$60. All voted in favor of the motion.

Mayor Schlagel called upon City Assessor, Calvin Barnett to review with the Council his recommendations on those parcels of property that were questioned at the Board of Review. Purrington moved, Schlagel seconded the City Assessor's recommendations on the parcels of properties questioned at the Board of Review be approved as follows: Parcel Number 1009, Larry Hyatt, 620 West Main Street, be entitled to homestead for the 1982 assessed payable 1983; Parcel Number 1401 and 1404, Blanch Meade, 302 West College Drive, Parcel Number 1401 assessed value be reduced from \$49,000 to \$44,000, and Parcel Number 1404 assessed valuation be reduced from \$9,800 to \$5,500; Parcel Number 3518-19, Gary Gould, 1300 Westwood Drive, the assessed value remain unchanged; Parcel Number 2515, Roger Przybys, 306 Lawrence Street, the assessed value be reduced from \$13,400 to \$12,400; Parcel Number 3622-50, Thomas Halbach, 705 South 4th Street, recommended no homestead classification be allowed; Parcel Number 3006, James Leach, 606 North 6th Street, recommended no change in the assessed value of his property; Parcel Number 1667, Ron Velde, 102 East Saratoga Street, recommended no change in the assessed valuation; personal property for Ron Velde at Lot 5, Marshall Trailer Court recommended reduction in the assessed valuation from \$2,600 to \$1,000; for personal property of Ron Velde's at 313 Timberlane, value be placed at \$2,900; Parcel Number 3518-16, John Hasbrouck, 1306 Westwood Drive, recommended the assessed valuation be reduced from \$107,200 to \$103,800; Parcel Number 3622-17, Mr. Henry Polmen Jr., 623 South 4th Street, recommended no change in the assessed valuation; Parcel Number 656, Mr. Mel Hardy, 111 South 5th Street, recommended no change in the assessed valuation; Parcel Number 4475, Bob Rassmussen, 107 Walker Lane, recommended the assessed valuation be reduced from \$15,100 to \$7,000; and for Parcel Number 4440, Steve Meyer, 411 and 413 North 7th Street, recommended no change in the assessed valuation of these properties. All voted in favor of the motion.

REGULAR MEETING - MAY 17, 1982 (CONT'D)

Schlagel moved, Ritter seconded and it was unanimously approved that the following bills be authorized for payment: GENERAL FUND, Voucher No. 73808 through 73912; WASTEWATER FACILITIES FUND, Voucher No. 2910 through 2935; PARKING SYSTEM FUND, Voucher No. 2652 through 2658; DEBT SERVICE FUND, Voucher No. 1600; SPECIAL ASSESSMENTS FUND, Voucher No. 216 through 219; LIQUOR FUND, Voucher No. 30044 through 30071; REVENUE SHARING FUND, Voucher No. 221.

The following Building Permits and Mobile Home Permits previously approved by the City Engineer were confirmed:

Don Klein Construction
709 Nuese Lane
Nuese 2nd Add, Blk 2, Lot 3
Dwelling
\$50,000

Olson & Shaikoski
208 South 5th Street
"A" Add, Blk 8, Part of Lot 12
Deck
\$900

Diane Inman
1309 Greenview Place
Sunrise Park Add, Blk 5, Lot 7
Attached Garage
\$3,500

Clarence Shaikoski
316 Lawrence Street
DeSchepper First Add, Blk 1, E'ly ½ of Lot 10
Reside Dwelling
\$1,000

Geske Building & Supply Co.
309 West Redwood Street
Original Plat, Blk 15, Lot 5
Reside Dwelling
\$4,785

Dulas Construction
601 Lawrence Street
Viking Add, Blk 3, Lot 1
Deck
\$3,000

Bruce Stueven & Darwood Ekness
448 West Main Street
Original Plat, Blk 8, Lot 10 & 11
Ceiling at Back Entry
\$200

J.F. Taylor & Sons
902 North 4th Street
Janzen 2nd Add, Lot 2
Garage
\$1,900

Swesta Builders Inc.
112 South 4th Street
"A" Add, Blk 6, Part of Lot 8
Remodel apartment & demolish storeroom
\$4,000

Bladholm & Hess
302 O'Connell Street
McFarland Add, Blk 3, Part of Lot 1
Office
\$77,400

Myron Hasch
901 South 4th Street
Fay F. Reeds Add, Blk 1, Lot 17 & 18
Reside & remodel
\$2,500

Beverly Home
205 Cedar Lane
Install a mobile Home

Schlagel moved, Ritter seconded a rear yard variance adjustment permit be granted to Cliffort Hively of 502 Southview Drive to construct a utility shed within 5 feet rather than the 15 feet required according to City Code. All voted in favor of the motion. It was noted at this time that all utility sheds with 120 square feet of more must require a building permit.

Mr. Duane Aden informed those in attendance at the meeting that work is continuing to be done in regards to the accessibility for the handicapped at the polling locations within the City of Marshall.

A request was also received at this time in regard to the enforcement of the ordinance in regard to the parking of certain vehicles and equipment along streets within the City of Marshall.

A request was received at this time for a letter to be sent to the various Commission chairman's in regard to the attendance requirement and also requesting that members of the various commissions to physically view a location that is being referred to on their agendas for their meetings.

Proper city officials were authorized to receive bids for a steel roller for the Street Department which is included in the 1982 budget. These bids are to be received at the regular meeting to be held on June 7, 1982.

Councilperson Rogalski was concerned about the use of helmets and the age at which some individuals were riding motorcycles, mopeds and other similar motorized equipment within the City of Marshall.

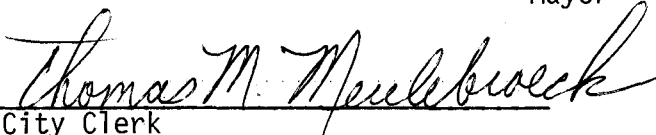
REGULAR MEETING - MAY 17, 1982 (CONT'D)

The Council and other members in attendance at the meeting were informed that the Marshall Police Department is patrolling the area of Country Club Drive to limit the amount of traffic on Country Club Drive during construction.

Councilperson Kirchner was concerned as to whether the City was considering any alternative heating for the Street Department garages. She was informed that this is being investigated.

Upon a motion made by Schlagel, seconded by Ritter, the meeting was adjourned. All voted in favor.


Mayor

ATTEST: 
City Clerk

REGULAR MEETING - JUNE 7, 1982

The regular meeting of the Common Council of the City of Marshall was held on June 7, 1982. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the mayor, the following members were present: Purrington, Ritter, Breczinski, Rogalski & Kirchner. Absent: none.

Rogalski moved, Ritter seconded the approval of the minutes of the regular meeting of the Common Council held on May 17, 1982 as filed with each member and the reading of the minutes be waived. All voted in favor of the motion.

A public hearing was held at this time on an application for an on-sale liquor license from Joseph V. Bot DBA "The Gambler" located at 303 West Main Street. There were no objections received on the license, therefore, Ritter moved, Breczinski seconded an on-sale liquor license be granted to Joseph V. Bot DBA "The Gambler" at 303 West Main Street. The fee for this on-sale liquor license will be pro-rated to the nearest month upon the time Mr. Bot requests this license. Mr. Bot must also provide evidence that he has ownership of this property and that he has proper insurance coverage before the license will be issued. All voted in favor of the motion.

A public hearing was held at this time on the redevelopment plan and the tax increment finance plan for the Minnesota Corn Producers Project. Mr. Robert Pulsher, a representative from Springsted's Inc. was in attendance at the council meeting to discuss with the members various amounts that may be considered for the total genreal obligation tax increment bonds. Mr. Richard O'Connell felt that if it was possible to pay off the bonds earlier and that if it was possible for this parcel of property to be on the tax rolls at an earlier date because of the paying of bonds earlier than this should seriously be considered. It was the general consensus of the council that a discussion on the matter be tabled until Mr. Robert Pulsher and Mr. Duane Aden, the City Engineer, had an opportunity to review the various costs of improvement, and bring back for discussion later in the council meeting.

A public hearing was held at this time on the preliminary plan for the Marshall Right of Way Addition. Upon the recommendation of the Planning Commission, Schlagel moved, Ritter seconded the approval of the preliminary plan for the Marshall Right of Way Addition which consists of the former Chicago and Northwestern Railroad right of way from trunk Highway 23 to the Redwood River Diversion Channel. The plotting of this area subdivides this right of way into various lots and blocks which will then serve as the desirable method of transferring property and recording various legal documents at the register of deeds office and also for other identification purposes. All voted in favor of the motion.

Mr. Robert Pulsher, a representative from Springsted's Inc., reviewed with the council the proposals received in the negotiated sale of the City of Marshall's \$150,000 General Obligation Improvement Bonds 1982 Series A. The proposals received for the negotiated sale of the City of Marshall's \$150,000 General Obligation Improvement Bonds of 1982 Series A were from: American National Bank and Trust Company of St. Paul with a net interest cost of \$84,008.31, at a rate of 10.4358%; The First National Bank of St. Paul, with a net interest cost of \$85,799.50, at a rate of 10.6583%; First National Bank of Minneapolis, with a net interest cost of \$86,266.67, at a rate of 10.7163%; Daugherty, Dawkins, Strand, and Yost Inc., with a net interest cost of \$86,275.80, at a rate of 10.7174%; M.H. Novick and Company Inc., with a net interest cost of \$86,466.62, at a rate of 10.7411%; Dain Bosworth Inc., with a net interest cost of \$88,373.33, at a rate of 10.9780%; Piper Jaffray and Hopwood Inc., with a net interest cost of \$90,259.17, at a rate of 11.2123%; and Moore Juran and Company Inc., with a net interest cost of \$92,699.98, with a rate of 11.5155%. Schlagel moved, Breczinski

REGULAR MEETING - JUNE 7, 1982 (CONT'D)

seconded the adoption of RESOLUTION NUMBER 541, SECOND SERIES and that the reading of the same be waived. RESOLUTION NUMBER 541, SECOND SERIES is a resolution authorizing issuance, awarding sale, prescribing the form and details and providing for the payment of \$150,000 General Obligation Improvement Bonds, 1982 Series A. This resolution provides for the awarding of the sale to American National Bank and Trust Company of St. Paul with a net interest cost of \$84,008.31 at a rate of 10.4358%. All voted in favor of the motion.

Purrington moved, Ritter seconded the adoption of RESOLUTION NUMBER 542, SECOND SERIES and that the reading of the same be waived. RESOLUTION NUMBER 542, SECOND SERIES is a resolution awarding the bid for Bituminous Surfacing (Project No. BS 1982A-1) to McLaughlin & Schulz, Inc., Marshall, Minnesota in the amount of \$16,032.00. All voted in favor of the motion.

Rogalski moved, Kirchner seconded the adoption of RESOLUTION NUMBER 543, SECOND SERIES and that the reading of the same be waived. RESOLUTION NUMBER 543, SECOND SERIES is a resolution awarding the bid for Sanitary Sewer (Project No. SAS 1982A-2) to Bartz Excavating, Ivanhoe, Minnesota in the amount of \$28,271.15. All voted in favor of the motion.

Ritter moved, Breczinski seconded the adoption of RESOLUTION NUMBER 544, SECOND SERIES and that the reading of the same be waived. RESOLUTION NUMBER 544, SECOND SERIES is a resolution awarding the bid for Storm Sewer (Project No. ST 1982A-2) to Bartz Excavating, Ivanhoe, Minnesota in the amount of \$3,842.27. All voted in favor of the motion.

Purrington moved, Breczinski seconded the adoption of RESOLUTION NUMBER 545, SECOND SERIES and that the reading of the same be waived. RESOLUTION NUMBER 545, SECOND SERIES is a resolution awarding the bid for Concrete Pavement (Project No. CP 1982A-1) to Deutz & Hess, Marshall, Minnesota in the amount of \$27,815.28. All voted in favor of the motion.

Schlagel moved, Ritter seconded that all bids including the low bid from Bartz Excavating in the amount of \$126,642.30 for the Storm Sewer Project (Project No. STS 1982A-1) be rejected per the council's action pertaining to the assessments on this project. All voted in favor of the motion.

A bid was received at this time for a used steel drum roller for the Street Department. The bid received, opened, and read was from Ingersoll Rand, Milwaukee, Wisconsin in the amount of \$20,220. This bid was referred to the City Engineer, Duane Aden, and the Street Superintendent, Jullo Kor, for their review.

Purrington moved, Breczinski seconded the adoption of ORDINANCE NUMBER 118, SECOND SERIES and that the reading of the same be waived. ORDINANCE NUMBER 118, SECOND SERIES is an ordinance amending certain sections of the City Code Chapter 3, regarding Cable Television franchise in the City of Marshall, Minnesota. This ordinance will grant the City of Marshall the authority to receive accounting and financial information from the franchisee. All voted in favor of the motion.

Breczinski moved, Schlagel seconded the adoption of ORDINANCE NUMBER 119, SECOND SERIES and that the reading of the same be waived. ORDINANCE NUMBER 119, SECOND SERIES is an ordinance amending Chapter 11 of the City Code relating to zoning. This ordinance rezones the former Wastewater Treatment lagoons 2 and 3 from R-A to I-2. All voted in favor of the motion.

Schlagel moved, Ritter seconded the approval of a one day, non-intoxicating liquor license for the Marshall Jaycee's to be used at the Rolle Bolle Tournament at the Lyon County Fairgrounds on June 27, 1982. The fee for this license is \$10.00. All voted in favor of the motion.

A discussion was held at this time on an application from the Marshall Fireworks Group for a permit to display fireworks at the Lyon County Fairgrounds during the Rolle Bolle Tournament on June 27, 1982. Rogalski moved, Purrington seconded that the permit for the Marshall Fireworks Group to buy and display fireworks at the Lyon County Fairgrounds during the Rolle Bolle Tournament on June 27, 1982 be approved. There was some concern expressed by the council members in regard to who was responsible for the general liability insurance, the worker's comp insurance and some type of insurance on the explosives themselves. Rogalski moved, Kirchner seconded the granting of this license be referred to the City Attorney and proper city officials to have it clarified who is responsible for the general liability insurance coverage, worker's comp coverage and the insurance for coverage on the explosives and to find out if it's possible for people other than those employed by the City to shoot the

REGULAR MEETING - JUNE 7, 1982 (CONT'D)

fireworks. All voted in favor of the motion.

Upon the recommendation of the Parks, Recreation & Community Education Board, Breczinski moved, Schlagel seconded the citizen's advisory committee report on the Indoor Recreation/Civic Center Facility be referred to the Parks, Recreation & Community Education Board for their review. All voted in favor of the motion.

Upon the recommendation of the Director of Public Safety and the City Administrator, Schlagel moved, Ritter seconded Mr. Gary Welsand be employed as a Police Officer for the City of Marshall at a rate of \$8.48 per hour or \$1,470 per month effective June 8, 1982. The following resolution was adopted: BE IT RESOLVED that Gary Welsand be duly appointed, qualified and acting full time police officer for the City of Marshall, Minnesota possessing the power of arrest by warrant and otherwise and other authority generally conferred upon and possessed by the Municipal Police Officers in Minnesota with the specific duty of enforcing the laws of the State of Minnesota and the ordinances of the City of Marshall in apprehending violators thereof and engaging in the hazards protecting the safety and property of others. All voted in favor of the motion.

Purrington moved, Ritter seconded the approval of the transfer of \$600.00 from account number 101-56.001-102 salaries to 101-56.001-550 motor vehicle. This transfer allows for the proper city officials to purchase a moped for the use of the Bike Patrol. The purchase of the moped will provide for an opportunity for the Bike Patrol to regulate the unlawful use of mopeds in the Parks System which they are not able to do with only the use of bicycles. All voted in favor of the motion.

Schlagel moved, Ritter seconded that the bid for the used steel drum roller for the Street Department be awarded to Ingersoll Rand, Milwaukee, Wisconsin in the amount of \$20,220, upon the clarification of the length of the warranty which is to be 500 hours or 12 months of and beyond those hours that are currently on the piece of equipment. \$19,600 was budgeted for this steel drum roller, \$620.00 is to be transferred from other Capital Expenditures within the Street Department budget that were purchased for less than what was budgeted. All voted in favor of the motion.

The public hearing for the Redevelopment Plan and the Tax Increment Financing Plan for the Minnesota Corn Producers Project was continued at this time. There were no objections received from those in attendance at the meeting, therefore, Schlagel moved, Purrington seconded the adoption of RESOLUTION NUMBER 546, SECOND SERIES. RESOLUTION NUMBER 546, SECOND SERIES is a resolution relating to the establishment and designation by the Housing and Redevelopment Authority in and for the City of Marshall of Redevelopment Project Number 1 pursuant to the provisions of the Minnesota Statute Sections 462.411 to 462.716, inclusive, as amended and the establishment of a tax increment financing district number 1 pursuant to the provisions of the Minnesota Statute Sections 273.71 to 273.78, inclusive, as amended and adopting and approving a redevelopment plan and tax increment financing plan for said redevelopment project and tax increment financing district. All voted in favor of the motion.

Purrington moved, Rogalski seconded the adoption of RESOLUTION NUMBER 547, SECOND SERIES and that the reading of the same be waived. RESOLUTION NUMBER 547, SECOND SERIES is a resolution abating the assessment against certain parcels for sanitary sewer and watermain. The assessments that are to be deleted on part of Parcel Number 5673, are for sanitary sewer in the amount of \$1,465.52 and watermain in the amount of \$1,248.52 which were adopted in Resolution Number 384, Second Series. These assessments are to be paid by the respective enterprise funds at this time. All voted in favor of the motion.

A special meeting of the Common Council of the City of Marshall was set for Wednesday, June 16, 1982 at 5:00 P.M. to canvas the election results of the special election in Ward 2, scheduled for June 15, 1982. All voted in favor of the motion.

Mr. Duane Aden, City Engineer, reviewed with the council at this time the 1982 mosquito control program. Mr. Duane Aden indicated to the council that it takes approximately 5 days each time for the Street Department employees to spray areas within the city limits of Marshall for mosquitos. Mr. Aden also indicated that if the City was to consider aerial spraying, that it would cost the city approximately \$5,000 for this procedure.

Mr. Robert Grupe from Big Bob's Towing Service indicated that he would like to be refunded for his calendar 1982 towing license. Therefore, Schlagel moved, Ritter seconded that Mr. Robert Grupe be refunded a pro-rated share of his towing

REGULAR MEETING - JUNE 7, 1982 (CONT'D)

license for that period of time in which he indicated he wants his towing license with the City of Marshall terminated. All voted in favor of the motion, except Rogalski who voted no.

Schlagel moved, Brezczinski seconded and it was unanimously approved that the following bills be authorized for payment: GENERAL FUND, Voucher No. 73913 through 74058; LIQUOR FUND, Voucher No. 30073 through 30113; REVENUE SHARING FUND, Voucher No. 222; WASTEWATER FACILITIES FUND, Voucher No. 2936 through 2981; DEBT SERVICE FUND, Voucher No. 1601 through 1602; SPECIAL ASSESSMENTS FUND, Voucher No. 220 through 222; PARKING SYSTEM FUND, Voucher No. 2659 through 2672.

The following Building Permits, Mobile Home Permits, and Moving Permits previously approved by the City Engineer's were confirmed:

R.C. Square Apartments
1112 - 1126 Birch Street
Section 3, NW $\frac{1}{4}$
44 Entries
\$8,800

Alan Carstensen
319 Timberlane Drive
Village Park Mobile Home Park
Unattached garage
\$850

Slagel & Wambeke, Inc.
307 North Hill Street
Schutz Add., Blk 3, Lot 9
Family Room
\$15,000

Don Klein Construction
903 North Fifth Street
Northland Add, Lot 7
Foundation for future garage
\$500

Western Community Housing
1400 Parkside Drive
McFarland 2nd Add, Blk 1, Lot 13
Dwelling - Interior Finishing
\$22,000

Haugen Construction
1400 Parkside Drive
McFarland 2nd Add, Blk 1, Lot 13
Dwelling - Basement & Framing
\$8,100

Western Community Housing
1403 Parkside Drive
McFarland 2nd Add, Blk 3, Lot 2
Dwelling - Interior Finishing
\$22,000

Haugen Construction
1403 Parkside Drive
McFarland 2nd Add, Blk 3, Lot 2
Dwelling - Basement & Framing
\$8,200

Western Community Housing
1405 Carlson Street
McFarland Add, Blk 2, Lot 1
Dwelling - Interior Finishing
\$21,800

Haugen Construction
1405 Carlson Street
McFarland 2nd Add, Blk 2, Lot 1
Dwelling - Basement & Framing
\$8,000

Western Community Housing
504 Hudson Avenue
Northland 2nd Add, Lot 6
Dwelling - Interior Finishing
\$23,600

Haugen Construction
504 Hudson Avenue
Northland 2nd Add, Lot 6
Dwelling - Basement & Framing
\$8,700

Western Community Housing
505 Carlson Street
McFarland 2nd Add, Blk 2, Lot 5
Dwelling - Interior Finishing
\$23,600

Haugen Construction
505 Carlson Street
McFarland 2nd Add, Blk 2, Lot 5
Dwelling - Basement & Framing
\$8,700

Western Community Housing
503 Carlson Street
McFarland 2nd Add, Blk 2, Lot 6
Dwelling - Interior Finishing
\$23,900

Haugen Construction
503 Carlson Street
McFarland 2nd Add, Blk 2, Lot 6
Dwelling - Basement & Framing
\$8,800

Western Community Housing
1401 Parkside Drive
McFarland 2nd Add, Blk 3, Lot 1
Dwelling - Interior Finishing
\$22,500

Haugen Construction
1401 Parkside Drive
McFarland 2nd Add, Blk 3, Lot 1
Dwelling - Basement & Framing
\$8,300

REGULAR MEETING - JUNE 7, 1982 (CONT'D)

John V. McLaughlin
1002, 1102, 1104 West Main Street
Parts of Section 5 NE $\frac{1}{4}$ & Section 32 SE $\frac{1}{4}$
Demolition of Buildings
\$0

Kim Henspeter
311 East Redwood Street
Hoberts Add, Blk 3, Lot 3
Deck
\$401

Wanita Kirk
316 Simmons Street
Part of Section 5 SE $\frac{1}{4}$
Demolish old garage & build new garage
\$1,500

Drusilla Pedersen
1002 Columbine Drive
Southview 2nd Subdiv, Blk 2, Lot 18
Deck
\$500

LaVerne Paschke
1009 Washington Avenue
Capitol Hill Add. Blk 2, Lot 10
Antenna Tower
\$315

Slagel & Wambeke, Inc.
105 "F" Street
Kerkhove Add, Blk 1, Lot 3
Bedroom & Bathroom
\$12,000

Bladholm & Hess Construction, Inc.
1305 East College Drive
Section 3, Part of NW $\frac{1}{4}$
Storage Room
\$34,550

James Buysse
105 "F" Street
Kerkhove Add, Blk 1, Lot 3
Kitchen remodeling & window replacement
\$3,300

Jerry Martinek
503 Hawthorn Drive
Southview 2nd Subdiv, Blk 3, Lot 9
Deck
\$1,500

Alan Greig & Norman Gregerson
307 West Marshall Street
Original Plat, Blk 20, Lot 4
Partition & Ceiling Work
\$1,000

S.D.C. Builders
507 Washington Avenue
VanUden 2nd Add, Blk 4, Lot 7
Reside Dwelling
\$2,000

Elroy Thompson
340 Timberlane Drive
Village Park Mobile Home Park
New roof, insulation & reside dwelling
\$3,500

Terry Ousky
1103 Columbine Drive
Southview 2nd Subdiv, Blk 3, Lot 7
Deck
\$800

Tuu Huynh
1231 Winchester Avenue
Camelot Square Mobile Home Park
Install mobile home

Jeff Kuiper
112 Lilac Drive
Village Park Mobile Home Park
Install mobile home

J.F. Taylor & Sons
From 105 South First Street
To 902 North Fourth Street
Garage

In regard to a letter received from Miller Schroeder, Purrington suggested that an invitation be extended to them to attend a regular City Council meeting to discuss their proposal in regard to home mortgages. Mayor Schlagel indicated that he would visit with these people at the League of Minnesota Cities Convention to be held in Rochester and would discuss Miller Schroeder's proposal at that time and then extend an invitation to them.

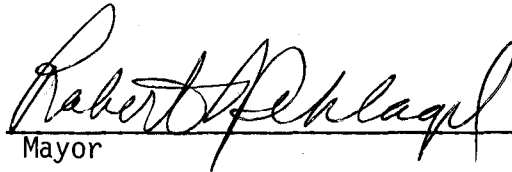
Mr. Duane Aden, City Engineer, reviewed with the council some minor changes to the store room addition to the Marshall Municipal Liquor Store. Schlagel moved, Ritter seconded that the change orders for the store room addition for the Marshall Municipal Liquor Store be placed on the agenda at this time. All voted in favor of the motion. Schlagel moved, Ritter seconded the approval of change order number 1 for the store room addition for the Marshall Municipal Liquor Store with Bladholm and Hess Construction, Inc. in the amount of \$374 for general construction in relation to the walk in cooler and ramp revised locations, and also the approval of change order number 2 for the store room addition to the Marshall Municipal Liquor Store with Olsen Electric and Trenching Service in the amount of \$105 for modifications in the electrical work for the walk in cooler and ramp revised locations. All voted in favor of the motion, except Purrington, who voted no.

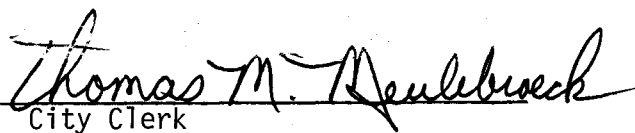
Councilperson Brezczinski expressed his concern in regard to the attendance of the members on the Human Rights Committee. Councilperson Brezczinski also expressed some concern in the changes in the by-laws for the coalition of out state cities.

REGULAR MEETING - JUNE 7, 1982 (CONT'D)

Councilperson Rogalski expressed a concern in regard to the insurance on the ice cream carts which are traveling on the streets within the City of Marshall during the summer of 1982. Mr. Rogalski was also concerned about the safety of the children that congregate around the ice cream carts when they do stop. It was his suggestion that the proper city personnel visit with the operators of these ice cream carts in regard to safety, and the possibility of trying to keep children and others who congregate around these carts on the sidewalks or curbs. Director of Public Safety, Marv Bahn indicated that he would visit with the operators of the ice cream carts in regard to the safety of all involved.

Upon a motion made by Schlagel, seconded by Ritter, the meeting was adjourned. All voted aye.


Mayor

ATTEST: 
City Clerk

SPECIAL MEETING - JUNE 8, 1982

The Special Meeting of the Common Council of the City of Marshall was held on June 8, 1982. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the Mayor the following members were present: Purrington, Ritter, Breczinski, Rogalski, Kirchner. Absent: None.

Mayor Schlagel stated that the purpose of the meeting was to discuss with representatives of the Marshall Industries Foundation the lease-option Agreement between the Marshall Industries Foundation and the City of Marshall in regards to Wastewater Treatment lagoons No. 1 and 2. Mr. Patrick Leary was present to represent the Marshall Industries Foundation Executive Committee. Mr. Leary stated that the MIF saw no reason to address revising the lease-option Agreement at this time since there are a number of unknown elements yet to be determined and that they felt the most important priority was still the development of the Minnesota Corn Processors Facility.

Dwayne Purrington presented a proposal developed by the City Council in regards to the disposition of the proceeds of the MCP land sale and proposed terms and benefits of the future agreement. The proposal included that the \$180,000 proceeds that would be received if the MCP did purchase the land be distributed with \$45,000 going to the Marshall Industries Foundation per the Option Agreement and \$45,000 to the City with the remainder going to the overpass proposed by the Lyon County Board of Commissioners. This proposal would be subject to the receipt of a letter of credit language in the Redevelopment Agreement with MCP. It was further proposed that the remainder of pond No. 2 and pond No. 1, with the exception of a portion reserved for use by the Wastewater Treatment Plant, would be released to the Marshall Industries Foundation for \$1.00 per year and the proceeds of any future land sales will be split equally between the Marshall Industries Foundation and the City of Marshall. He stated that the exception to this proposal would be that any property that relocates to either of the ponds as a result of the airport zoning relocation would be exempt since they would be the result of negotiations between the property owner and the City rather than through the efforts of the Marshall Industries Foundation. He stated that he felt this would be a fair proposal for both the City of Marshall and the Marshall Industries Foundation since the overpass would benefit all of the undeveloped industrial land in the area including the speculative building owned by the Marshall Industries Foundation that would allow the Foundation the flexibility of pricing the land to react to market and economic conditions.

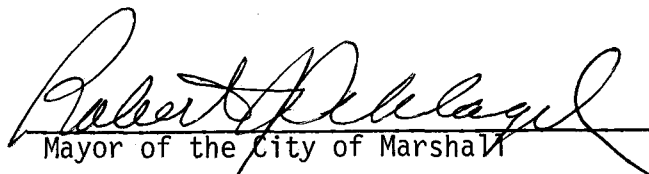
Mr. Leary stated that he would submit the proposal to the Marshall Industries Foundation for review but that he felt that it was basically a decision for the City Council to make. He also stated that the Marshall Industries Foundation

SPECIAL MEETING - JUNE 8, 1982 (CONT'D)

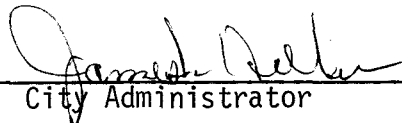
would, now and in the future, work closely with and attempt to respond to the wishes of the City Council in the possible sale of City property.

The next item of discussion was the application for fireworks purchase and display permit received from the "Marshall Fireworks Group" for use at the Lyon County Fairgrounds on June 27, 1982. Schlagel moved, Ritter seconded, that the item be placed on the agenda for discussion. All voted in favor. Ritter moved, Kirchner seconded, that the permit be approved subject to evidence from the Marshall Fireworks Group that the necessary insurance requirements have been met and the City Administrator notify the Marshall Fire Department that any individual participation in the discharge of the fireworks would be done as private citizens and not as members of the Marshall Fire Department and thus exempt from the City's liability and workers compensation insurance. All voted in favor of the motion.

Schlagel moved, Ritter seconded, that the meeting be adjourned. All voted in favor.


Mayor of the City of Marshall

ATTEST:


City Administrator

SPECIAL MEETING - JUNE 16, 1982

A Special Meeting of the Common Council of the City of Marshall was held on June 16, 1982. The meeting was called to order at 5:03 P.M. by President Pro-tem Ritter. In addition to President Pro-tem Ritter, the following members were present: Purrington, Breczinski, Rogalski and Kirchner. Absent: Mayor Schlagel.

Election returns as filed by the election judges for the Special City Election held on June 15, 1982 were presented by the City Clerk. The summary of votes cast for the office of Councilperson Second Ward were determined to be as follows:

	<u>Ward 2 Precinct 1</u>	<u>Ward 2 Precinct 2</u>	<u>Total</u>
Alan J. Holmes	45	129	174
Robert A. Ridley	44	59	103
<u>Write Ins</u>			
Dan Raveling		1	1
Frank Schultz	47	80	127
	<u>136</u>	<u>269</u>	<u>405</u>

Purrington moved, Kirchner seconded and it was unanimously approved that Alan J. Holmes be declared duly elected for a term of Councilperson to begin on June 21, 1982 and expire in December of 1985. All voted in favor of the motion.

Councilperson Purrington continued the discussion in regard to the disposition of the proceeds of the Minnesota Corn Producers land sale and proposed terms and benefits of a future agreement with the Marshall Industries Foundation in regard to Wastewater Treatment lagoons number 1 and 2.

It was the general consensus of the council members in attendance at the meeting that the City of Marshall has the proper staff and better expertise to work with the Lyon County Board of Commissioners rather than the Marshall Industries Foundation representatives working with the Lyon County Board of Commissioners in regard to the proposed over-pass. It was the general consensus of the council that Councilperson Purrington present a proposal to the Marshall Industries Foundation proposing that the City give them one-half of the proceeds from the sale of the land to the Minnesota Corn Processors and that they in turn enter into an agreement with the Marshall Industries Foundation relinquishing any future options on the Wastewater

SPECIAL MEETING - JUNE 16, 1982 (CONT'D)

Treatment lagoons number 1 and 2.

Upon motion made by Purrington and seconded by Ritter, the meeting was adjourned. All voted aye.

William L. Ritter
President Pro-tem

ATTEST:

Thomas M. Neulohr
City Clerk

REGULAR MEETING - June 21, 1982

The regular meeting of the Common Council of the City of Marshall was held on June 21, 1982. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the Mayor the following members were present: Rogalski, Purrington, Ritter, Kirchner, Holmes and Breczinski. Absent: none.

Breczinski moved, seconded by Ritter, the approval of the minutes of the June 7th, 1982 regular meeting and the special meetings of June 8th and June 16th, 1982. All voted in favor of the motion.

The administration of the Oath of Office was held at this time for newly elected Councilman Alan J. Holmes, elected at the Special Election June 15, 1982, filling the vacancy of Steve Halter.

Mayor Schlagel moved, seconded by Ritter the approval of the applications for the renewal of the annual Consumption and Display License for the year beginning July 1, 1982 from the Marshall Inn, Marshall Lanes, The Chalet, Eagles Club and the Veterans of Foreign Wars. All voted aye.

The City Engineer received word from Marvin Barglof that he was withdrawing his application for a Conditional Use Permit for a two family dwelling under split ownership at 213-215 DeSchepper St. as the dwelling has been sold.

As recommended by the Planning Commission, the Mayor moved, Ritter seconded, and it was unanimously approved that the application for a Conditional Use Permit by Gloria VanOverbeke, 1001 Cheryl, for a home occupation consisting of ceramic craft classes be approved.

Ritter moved, Breczinski seconded, that upon the recommendation of the Planning Commission the application of Jeanne Johnson, 115 Circle Drive, for a Conditional Use Permit for a home occupation be extended for a period of 5 years. All voted aye.

Schlagel moved, Breczinski seconded, approving the renewal of the existing agreement between the City of Lynd and the City of Marshall and to provide a payment of \$600.00 to the City of Lynd as their cost in providing fire protection to a portion of the township. All voted in favor of the motion.

The City Engineer reviewed the final plat for the Marshall Right of Way Addition stating there have been no changes made to the Preliminary Plat previously approved by the Planning Commission and the City Council. Purrington moved, Breczinski seconded the adoption of RESOLUTION NUMBER 548, SECOND SERIES and that the reading of the same be waived. RESOLUTION NUMBER 548, is a resolution approving the final Plat of Marshall Right of Way Addition. All voted in favor of the motion.

Ambulance Coordinator, Craig Lambert explained and discussed the municipal ambulance system and training program to the City Council, comparing the past, present and proposed activities and the receipts and disbursements.

REGULAR MEETING - JUNE 21, 1982
(CONT'D)

Purrington moved, Breczinski seconded that the proper officials be authorized to submit to Minnesota Department of Transportation an application for a grant subsidizing the taxi system as it has been operating. All voted aye.

Schlagel moved, Purrington seconded the approval of a budgetary transfer of \$1,000.00 for landscaping in the Park Development and Maintenance account. It was budgeted as a capital expenditure since it was included in the 5 year capital plan, but as an expenditure it is recorded as an operating maintenance expense, the transfer should be account number 101-59.006-530 to 101-59.006-227. All voted in favor of the motion.

The City Engineer explained a proposed agreement that provides the opportunity for the City of Marshall to obtain a rehabilitated beacon under the Minnesota Department of Transportation program for the Municipal Airport. With this agreement the City will receive a rehabilitated and overhauled 36 inch rotating beacon with metal halide lamps which will reduce energy and lamp costs. The Airport Commission has recommended this program and had included it in their 1982 budget. The cost to the City will be 1,000.00 prior to the installation costs. Breczinski moved, Holmes seconded that adoption of RESOLUTION NUMBER 549, SECOND SERIES and that the reading of the same be waived. RESOLUTION NUMBER 549 authorizes the proper City officials to sign an agreement for State Aid in the Rotating Beacon Maintenance Program. All voted in favor of the motion.

Schlagel moved, Ritter seconded that authorization to advertise for bids for Bituminous seal coat, Bituminous overlay and seasonal gravel requirements be approved. These are all budgeted items. All voted aye.

Because of Independence Day being on Monday, July 5th, Schlagel moved, Breczinski seconded that the regular meeting of the City Council be rescheduled to Tuesday, July 6th. All voted in favor of the motion.

The City Administrator stated that there remains about \$1,000.00 from a 1981-82 GED/ABE Grant that could be used for the purchase of office equipment for the Park and Recreation Office or be returned to the State of Minnesota by July 1st. The funds could purchase a file cabinet-\$450.00; a table for the CRT-\$300.00; and a small table to replace the larger table in the Park and Recreation Office-\$200.00, for a total of \$950.00. This would be a supplemental appropriation to account 101-58.002-560. General Fund also received \$700.00 from this grant towards administration costs of the program of which \$200.00 be approved for the purchase of a secretary chair for use at the CRT. This would be a supplemental appropriation from the contingency account to account number 101-55.001-560.

Purrington moved, Schlagel seconded that purchase of the above office equipment and the proper transfers be made. Kirchner stated that the cost of the CRT table and chair be added to the computer cost summary. All voted aye.

Rogalski moved, Schlagel seconded that proper City officials be authorized to enter into an agreement with the Marshall Radio Control Club for the use of a portion of the old City Dump ground area on North 7th Street, effective July 1, 1982. All voted in favor of the motion.

Purrington moved, Schlagel seconded that authorization to advertise for a new police car be approved. The Director of Public Safety reported on the gas mileage of the present cars and requested comparable specifications be used and that the 1978 Pontiac station wagon would be traded in. All voted aye.

Schlagel moved, Purrington seconded and it was unanimously approved that the following bills be authorized for payment: GENERAL FUND, Voucher No. 74059 through 74175; LIQUOR FUND, Voucher No. 30114 through 30137; WASTEWATER FACILITIES FUND, Voucher No. 2982 through 2996; DEBT SERVICE FUND, Voucher No. 1603 through 1604; SPECIAL ASSESSMENTS FUND, Voucher No. 223 through 229; and PARKING SYSTEM FUND, Voucher No. 2673 through 2678.

The following building permits previously approved by the City Engineer were confirmed:

Charles Coudron
202 DeSchepper Court
Viking Add- Outlot Glen, Lot 3
Dwelling
\$65,000

Earl Wiering
301 North Elm Street
Riverside Add, Blk 9, Lot 14
Reside Dwelling
\$3,000

REGULAR MEETING - JUNE 21, 1982
(CONT'D)

Bruce Olson Construction
1304 Pinehurst Road
Westwood Acres 11, Blk 2, Lot 10
Dwelling
\$85,000

Bill & Linda Curry
422 North Fifth Street
Stewart & Jenkins.Add, Blk 1, Part of Lot 13
Basement
\$500


Don Klein Construction
1303 Parkside Drive
Prairieview Estates, Blk 2, Lot 2
Dwelling
\$33,000

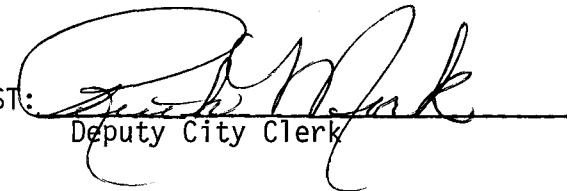
Kesteloot & DeVries
1108 East Lyon Street
Nuese 2nd Add, Blk 1, Lot 2
Dwelling
\$60,000

Albert Eggermont Sr.
1225 East College Drive
Section 3, Park of NW¼
Install Overhead Door
\$100

J & S Woodland Construction
106 East Lyon Street
Original Plat, Blk 13, Lot 7
Reside
\$3,794

Upon a motion made by Schlagel and seconded by Rogalski, the meeting was adjourned.


Mayor

ATTEST: 
Deputy City Clerk

SPECIAL MEETING - JUNE 28, 1982

The special meeting of the Common Council of the City of Marshall was held on June 28, 1982. The meeting was called to order at 7:00 P.M. by Mayor Schlagel. In addition to the mayor the following members were present: Purrington, Ritter, Brezinski, Rogalski and Kirchner. Absent: Holmes.

George Minehart, Keith Cooreman, and Randy Burtzel of the accounting firm of Gold, Carlson and Minehart presented and reviewed with the council the financial audit of the fiscal year ending December 31, 1981. Schlagel moved, Ritter seconded the approval of the annual audit along with the adoption of RESOLUTION NUMBER 550, SECOND SERIES and that the reading of the same be waived. RESOLUTION NUMBER 550, SECOND SERIES is a resolution reallocating budget amounts for the fiscal year ending December 31, 1981. This resolution also provides for the transfer from contingency account of the general fund in the amount of \$63,062, however a total surplus exceeding that amount remained within the various line items. All voted in favor of the motion.

The vacancy on the Housing and Redevelopment Authority board was discussed at this time. It was the general consensus of the council that an individual be appointed to fill the vacancy on this board at the next regular city council meeting to be held on July 6, 1982.

The ground breaking ceremonies have tentatively been set for July 2, 1982 for the construction of the Minnesota Corn Producers facility. It was the general consensus of the council that no physical work be allowed to begin on this facility until all proper agreements have been executed.

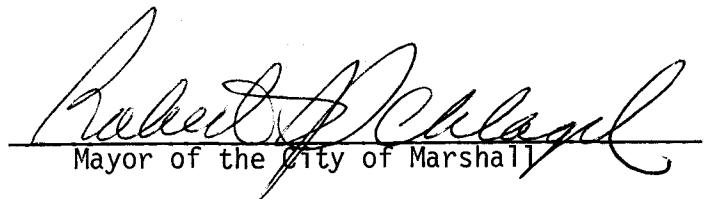
A discussion was held at this time on an agreement between the City of Marshall and the Marshall Industries Foundation in regard to the land sale to the Minnesota Corn Producers. Along with this agreement it was agreed that the Marshall Industries Foundation would receive \$90,000 from the land sale to the Minnesota Corn Producers and that the existing options on the Wastewater Treatment lagoons 1 and 2 would be terminated, the current agreement between the City of Marshall and the Marshall Industries Foundation be cancelled and that after the Minnesota Corn Producers agreement has been completed the City of Marshall and the Marshall Industries Foundation negotiate a new agreement.

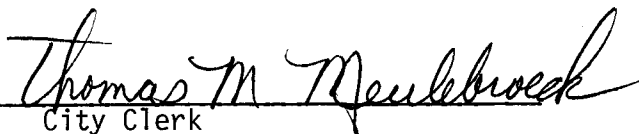
SPECIAL MEETING - JUNE 28, 1982 (CONT'D)

Mr. Jim Heller, City Administrator, indicated to the council that in the near future the City of Marshall will be consolidating all its checking accounts into one checking account. It was the general consensus of the council that a letter be sent to the legal depositories for the City of Marshall asking them for proposals.

Mr. Heller also indicated to the Council that he had been receiving some feedback in regard to the Minnesota Corn Producers not receiving the proper amount of equity before they are to begin construction. A number of options were discussed in regard to possible solutions as to how the Minnesota Corn Producers could meet the deadline so that they are able to continue with the construction of their facility. It was suggested that tax increment financing issue be increased, or that a portion of the improvement to North 7th Street be eliminated. It was the general consensus of the City Council that the city has done all that it should do to assist the Minnesota Corn Producers in regard to the construction of this facility. It was their feeling that it was up to the Minnesota Corn Producers to do what they had to do to meet the deadline to begin construction on their facility.

Upon a motion made by Schlagel and seconded by Ritter, the meeting was adjourned. All voted in favor of the motion.


Mayor of the City of Marshall

ATTEST: 
City Clerk

REGULAR MEETING - JULY 6, 1982

The regular meeting of the Common Council of the City of Marshall was held on July 6, 1982. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the Mayor, the following members were present: Purrington, Brezinski, Holmes, Rogalski & Kirchner. Absent: Ritter.

Rogalski moved, Brezinski seconded the approval of the minutes of the regular meeting of the Common Council held on June 21, 1982 and the special meeting of the Common Council held on June 28, 1982 as filed with each member and that the reading of the minutes be waived. All voted in favor of the motion.

Bids were to be received for a new police car at this meeting. Mr. Duane Aden, City Engineer, informed the council that the perspective bidders are not able to receive firm prices from their respective companies for 1983 models, therefore, Mr. Aden requested that receiving of bids for a police car be cancelled until such time that the perspective bidders are able to receive such firm quotes from their respective companies.

Purrington moved, Schlagel seconded the requirement for bid security on the bids to be received for seasonal gravel for 1982 be waived. All voted in favor of the motion.

A bid was received, opened and read for the 1982 bituminous overlay of various streets from McLaughlin & Schulz, Inc., Marshall, Minnesota in the amount of \$78,839.26.

Bids were received, opened and read at this time for the 1982 bituminous seal coat program. The bids received, opened and read were from McLaughlin & Schulz, Inc., Marshall, Minnesota in the amount of \$22,343.20; and Highway Surfacing, Marshall, Minnesota in the amount of \$25,934.27.

Bids were received, opened and read at this time for the 1982 seasonal requirements for gravel. The bids received, opened and read were from J.J. Dirt and Gravel Hauling, Inc., Russell, Minnesota at \$1.17 per ton; Richard Dwire, Marshall, Minnesota at \$1.55 per ton; and McLaughlin & Schulz, Inc., Marshall, Minnesota at \$2.75 per ton.

The bids for the 1982 requirements for bituminous overlay, bituminous seal

REGULAR MEETING - JULY 6, 1982 (CONT'D)

coat, and seasonal gravel were referred to City Engineer, Duane Aden, for his review.

A discussion was held at this time on the ordinance for on-sale club liquor license. Mr. Scott Anderson of the Marshall Inn and on behalf of other organizations who maintain a on-sale liquor license, addressed to the council the dissatisfaction of these organizations who are required to have a liquor license and the Eagles Club, which has an on-sale club liquor license. It seemed to be the feeling of these organizations that they felt it was unfair for them to have a liquor license and the Eagles Club not to have a liquor license because the Eagles are competing for business with the other organizations that do have to have licenses. Mr. Al Carriere, Manager of the Eagles Club, did indicate to the council that the Eagles Club was not soliciting for business. With a club license there seemed to be some question as to who is allowed to have parties at the locations where there is a club license and who is allowed to attend these parties. Mayor Schlagel indicated to the council and other members in attendance at the meeting that he and councilperson Ritter had previously agreed to meet with the Eagles Club in regard to the on-sale club liquor license and liquor license requirements, but were informed that the problem with the on-sale club liquor license held by the Eagles Club had been resolved. Mr. Red Cline, a trustee from the Eagles Club, indicated to Mayor Schlagel and others in attendance at the meeting that there would be a meeting of the trustee's of the Eagles Club at 8:30 P.M. on July 8, 1982 and that Mayor Schlagel and councilperson Ritter would be invited to this meeting to discuss the requirements of on-sale club liquor license and on-sale liquor license. Mayor Schlagel informed those in attendance at the meeting that this subject would be referred back to the council after he and councilperson Ritter had an opportunity to meet with the Eagles Club.

Schlagel moved, Breczinski seconded the approval of a transfer of \$175.00 from the Park Maintenance and Development account number 101-59.006-210, (General Supplies) to Capital Expenditures 101-59.006-560 (Office Equipment) to provide for the purchase of a desk for the Park Maintenance Building. All voted in favor of the motion.

Rogalski moved, Breczinski seconded the proper city officials be authorized to enter into an agreement with the Marshall Industries Foundation in regard to the existing lease-option agreement of the Wastewater Treatment Ponds 2 & 3. All voted in favor of the motion.

Purrington moved, Rogalski seconded the award of the following bids: 1982 Bituminous Overlay, to McLaughlin & Schulz, Inc., Marshall, Minnesota in the amount of \$78,839.26 and that this is to be paid for out of Revenue Sharing Funds; 1982 Bituminous Seal Coat, to McLaughlin & Schulz, Inc., Marshall, Minnesota in the amount of \$22,343.20; and the 1982 Seasonal Requirements for Gravel, to J.J. Dirt and Gravel Hauling, Inc., Russell, Minnesota at \$1.17 per ton. All voted in favor of the motion.

Breczinski moved, Schlagel seconded and it was unanimously approved that the following bills be authorized for payment: GENERAL FUND, Voucher No. 74176 through 74291; LIQUOR FUND, Voucher No. 30138 through 30169, WASTEWATER FACILITIES FUND, Voucher No. 2997 through 3023; PARKING SYSTEM FUND, Voucher No. 2679 through 2689; SPECIAL ASSESSMENTS FUND, Voucher No. 230 through 233; DEBT SERVICE FUND, Voucher No. 1605 through 1606; and REVENUE SHARING FUND, Voucher No. 223 through 225.

The following Building Permits previously approved by the City Engineer were confirmed:

Michael Orthaus
105 Greenview Place
Sunrise Park Add, Blk 5, Lot 5
Family Room
\$8,400

Richard Jorgenson
300 North Whitney Street
Schutz Add., Blk 3, Lot 13
Screened porch
\$2,000

Schwan's Sales & Enterprises
600 Michigan Road
Industrial Park #1, Blk 6, Lots 1 & 4
Office remodeling - Dry Storage
\$24,000

Emroy Biteler
1008 Cheryl Avenue
Eatros Place 7th Add, Blk 1, Lot 4
Deck
\$850

REGULAR MEETING - JULY 6, 1982 (CONT'D)

Antone Kopitski
1234 Avalon
Camelot Square Mobile Home Park
Storage Shed
\$500

David Hansvick
803 Elaine Avenue
Westmar Lots, Blk 1, Lot 5
Deck
\$70

John DeCramer
113 "G" Street
DeAustin Add, Blk 1, Lot 6
Enclosed screened patio
\$2,000

David & Holly Moorse
508 Kossuth Street
Northland Add, Lot 12
Deck
\$550

Mel Besse
105 South 11th Street
Sunset View Add., Blk 2, Lot 8
Deck
\$950

Richard VanMoer
309 East Main Street
Section 4, Part of SE $\frac{1}{4}$
Family room & bathroom
\$4,500

Ailt Fischer
107 Southview Drive
Nielsen's 7th Add., Blk 4, Lot 5
Reside Dwelling
\$3,000

Ralph Orren
426 $\frac{1}{2}$ North 7th Street
Section 4, Part of NW $\frac{1}{4}$
Reside Dwelling
\$4,000

Bernard Sumerfelt
406 Legion Field Road
Legion Field Add., Lot 4
Deck
\$250

Balaton Construction
1004 Pine Avenue
VerMarv Add., Blk 2, Lot 3
Deck
\$1,800

George Jacob Building & Remodeling
107 South 6th Street
Original Plat, Blk 6, Sw'ly 65' of Lot 19
Install 2 overhead doors/demolish wall
\$1,150

Alex Polfliet
501 Lawrence Street
Grays 3rd Add., Blk 2, Part of Lot 3
Reside dwelling & remove 4 windows
\$2,700

Clifford Cleveland
800 North 6th Street
Fre-Mar 1st Add., Blk 2, Lot 17
Siding and roofing
\$3,900

Larry Garland & Bruce Anderson
(replaces permit #5036)
1107 East College Drive
Section 3, NW $\frac{1}{4}$
Retail Store
\$5,100

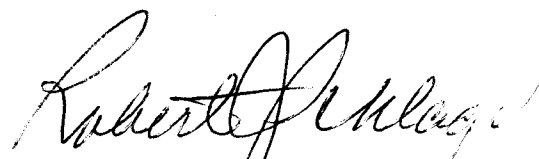
A & D Midwest Builders, Inc.
905 North 4th Street
Reeds Add., Blk 1, S'ly 66' of Lots
11-16
Remodel second floor
\$15,000

Councilperson Rogalski felt that there should be something done with the heat problem in the Council Chambers and that there should be something included in the 1983 budget for accustics in the Council Chambers.

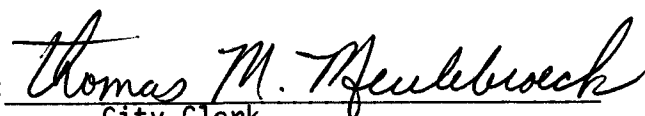
Mayor Schlagel requested that council members actively seek individuals to serve on the Cable Television Citizens Advisory Board.

Mayor Schlagel announced that the council would be meeting with the Marshall Police Department immediately following the adjournment of this meeting.

Upon a motion made by Schlagel and seconded by Purrington, the meeting was adjourned. All voted aye.



Mayor of the City of Marshall

ATTEST: 

City Clerk

REGULAR MEETING - JULY 19, 1982

The regular meeting of the Common Council of the City of Marshall was held on July 19, 1982. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the mayor the following members were present: Purrington, Ritter, Breczinski, Holmes, Rogalski and Kirchner.

Breczinski moved, Kirchner seconded, the approval of the minutes of the regular meeting of the Common Council held on July 6, 1982 as filed with each member and that the reading of the minutes be waived. All voted in favor of the motion.

Bids were received, opened and read at the regular meeting held on July 6, 1982 for the 1982 seasonal gravel requirements. A letter was received from J. J. Dirt and Gravel Hauling Company indicating that their bid of \$1.17 per ton was in error and should have been \$1.67 per ton. Schlagel moved, Purrington seconded, the bid from J. J. Dirt and Gravel Hauling Company be rejected and that the bid for the 1982 Seasonal Gravel Requirements be awarded to Rich Dwire Construction at \$1.55 per ton. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Schlagel moved, Ritter seconded, the approval of a variance adjustment permit for Mr. Joseph V. Bot Jr. to construct signage in excess of code allowance at 303 West Main Street. With the variance for an additional 10 square feet, Mr. Bot will be allowed a total front and rear signage allowance of 119 square feet for the building at 303 West Main. All voted in favor of the motion.

Purrington moved, Ritter seconded, the introduction of an ordinance relating to the sale of real estate between the City of Marshall and the Minnesota Corn Processors. This ordinance provides for the sale of the Wastewater Treatment Plant Lagoon property to the Minnesota Corn Processors for agreed upon price of \$180,000. With this ordinance, the City will be able to sign the necessary documents and transfer the property to the Minnesota Corn Processors. All voted in favor of the motion.

Purrington moved, Kirchner seconded, the introduction of an ordinance amending sections of the City Code Chapter 7. This ordinance prohibits the operation of motorized vehicles such as mopeds and motorcycles on sidewalks and bike paths. Holmes moved, Purrington seconded, the introduction of the ordinance be amended to include snowmobiles. All voted in favor of the amendment. All voted in favor of the motion as amended.

Schlagel moved, Ritter seconded, the approval of a bingo license for the Minneota Legion Post #199 to conduct bingo at the Lyon County Fairgrounds during the Lyon County Fair on August 12 through August 16. The fee for this license is \$10.00. All voted in favor of the motion.

In the near future the City of Marshall will be consolidating all its checking accounts into one checking account, therefore, a letter was sent to the legal depositories for the City of Marshall asking if they were interested in maintaining the City of Marshall checking account and if so, what other services their institution could provide, what benefits their institution had over other institutions and any other offerings that they may have that may be of advantage to the City of Marshall. Proposals were received by the City Clerk's Office by 10:00 A.M. on Thursday, July 15, 1982 from First Northwestern National Bank, Marshall, Minnesota; Western Bank and Trust, Marshall, Minnesota; First State Bank, Marshall, Minnesota; and Minnesota Federal Savings and Loan Association, Marshall, Minnesota. Pipestone Federal Savings and Loan Association did not submit a proposal. Mr. Mel Renner, from Minnesota Federal Savings and Loan withdrew their proposal on Monday, July 19, 1982. Upon the recommendation of the Finance Director/City Clerk, Thomas Meulebroeck, Purrington moved, Schlagel seconded, the checking account for the City of Marshall funds be maintained at the First Northwestern National Bank, Marshall, Minnesota. All voted in favor of the motion.

The next item on the agenda was a discussion by Mike Dean of the Countryside Council concerning the various projects and activities being conducted by the Countryside Council. This item was postponed to the regular meeting to be held on August 2, 1982.

A request was received from the Marshall Lyon County Library Board to change the expiration date for appointment of members to the Library Board to conform with Minnesota Statutes 134.04. This request was to extend the expiration of the members of the board from May 31 to December 31. Holmes moved, Kirchner seconded, the expiration date for members of the Library Board be extended from May 31 to December 31 of each year. Rogalski moved, Purrington seconded, the

REGULAR MEETING - JULY 19, 1982 (CONT'D.)

changing of the expiration date of the members of the Library Board be referred to the Legislative and Ordinance Committee. All voted in favor of the motion to refer.

Ritter moved, Breczinski seconded, the adoption of RESOLUTION NUMBER 551, SECOND SERIES and that the reading of the same be waived. Resolution Number 551, Second Series is a resolution providing for the installation of no parking signs on both sides of North 7th Street from the Redwood River Diversion Channel to the East and West Quarter Line, Section 28, T112N, R41W. All voted in favor of the motion.

Purrington moved, Rogalski seconded, the adoption of RESOLUTION NUMBER 552, SECOND SERIES and that the reading of the same be waived. Resolution Number 552, Second Series is a resolution declaring the cost to be assessed and calling for a hearing on the proposed assessment. This resolution provides for assessment of storm sewer improvements for Prairieview Estates and for storm and sanitary sewer assessment against Viking Addition Plat Number 3 that were not assessed due to the fact that they were not within the corporate city limits or had not been platted for development but are now eligible to be assessed at this time. The public hearing for these proposed assessments is to be held at the regular meeting to be held on August 16, 1982. All voted in favor of the motion.

A discussion was held at this time on the proposed extension of "A" Street from Depot Street to Saratoga Street. Fire Chief, Ed Scheele, one of the primary requesters for this improvement believes that it would provide a much better alternative for access to and from the fire station. Mr. Duane Aden, City Engineer, reviewed this improvement with the council members and those in attendance at the meeting. Mr. Aden estimated the cost of this project to be in the area of \$25,000 plus the cost of the land. He suggested that maybe one-third to one half of the improvements could be assessed and if water lines and sanitary sewer were installed in this area they would be totally assessed. Mr. Aden indicated in order to do this improvement, that the city would have to purchase some right-of-way from the owners of the Chicago Northwestern Railroad right-of-way. Some utility poles would have to be moved and the fence for the solar gas company would also have to be moved. It was the general consensus of the council that a further study be done on the feasibility of extending "A" Street from Depot Street to Saratoga Street and the effects this improvement would have on this area and what it would take to purchase the right-of-way from Chicago Northwestern Railroad right-of-way and what effect the fuel storage tanks of Standard Oil would have as being close to the proposed traveled street.

Breczinski moved, Ritter seconded, and it was unanimously approved that the following bills be authorized for payment: GENERAL FUND, Voucher No. 74292 through 74412; LIQUOR FUND, Voucher No. 30170 through 30194; WASTEWATER FACILITIES FUND, Voucher No. 3024 through 3046; SPECIAL ASSESSMENT FUND, Voucher No. 234 through 240; PARKING SYSTEM FUND, Voucher No. 2689 through 2693; DEBT SERVICE FUND, Voucher No. 1607 through 1608; REVENUE SHARING FUND, Voucher No. 226.

The following building permits previously approved by the City Engineer were confirmed:

Doom & Cuypers
716 Nuese Lane
Nuese Second Add., Block 5, Lot 3
Dwelling & attached garage
\$60,000

Doom & Cuypers
911 West Main Street
Section 5, Part of SW $\frac{1}{4}$
Entrance Ramp
\$2,500

Gerald R. Moberg
1002 Country Club Drive
Section 8, Part of SW $\frac{1}{4}$
Bathroom in basement
\$2,500

Vernon Garbe
421 North 5th Street
Eastmans Addition, Block 1, Lot 9
Reside and reroof dwelling
\$2,700

J & S Woodland Construction
901 Columbine Drive
Southview Subdivision, Block 3, Lot 12
Rebuild attached garage & kitchen roof
\$7,000

Lyon County
Lyon County Fairgrounds
Section 8, Part of NW $\frac{1}{4}$
Roof repairs cattle wash, Ag & Hog
buildings, \$2,250

Jeff Olson
902 Columbine Drive
Southview Subdivision, Block 2, Lot 6
Rebuild back bedroom roof & ceiling
\$1,500

E. A. Charlebois
1211 East College Drive
Section 3, Part of NW $\frac{1}{4}$
Restroom
\$700

REGULAR MEETING - JULY 19, 1982 (CONT'D.)

SWesta Builders Inc.
303 West Main Street
Original Plat, Block 3, Lot 18
Remodeling
\$30,000

Terrace Park Dairy
904 West College Drive
Section 5, Part of SE¼
Demolition of warehouse
\$0

A building permit from the Minnesota Corn Processors for the footings and foundation for their facility was recognized as being received at this time. This building permit will be accepted upon receiving the appropriate plans.

A discussion was held at this time in regard to a letter received from Mr. Art Olson in regard to necessary repairs that need to be done to his septic tank on his parcel of property which lies in Zone A of the airport. There has been some discussions in the past about the possibility of the City of Marshall acquiring this parcel of property.

Councilperson Kirchner had some questions in regard to the correspondence between the City of Marshall and those who own property within the Zone A of the airport. Councilperson Kirchner would like to know what has happened, what the city intends to happen and what the city's long range plans are in regard to acquiring the Zone A property of the airport.

City Attorney, Brian Murphy suggested that the council decide what parcels of property they want to acquire in Zone A, when they attempt to acquire this property, and to develop some type of priority list as to what they want done when so that the people who are involved in acquiring this property know what has to be done and when. It was the general consensus of the council that a retreat be set for August 19, 1982 to discuss in more depth the acquisition of the property in Zone A of the airport and any other pertinent issues.

Councilperson Purrington indicated to the council that he had received correspondence from Bob Lage indicating that he was distributing a survey to the downtown business in regard to the parking regulations in the downtown parking lots.

Councilperson Holmes had some question in regard to employees parking in the areas provided for customers.

Councilperson Ritter indicated that there are some problems with campers, oversized trailers, etc. parking along streets and requested that the Police Department be on the look out for these items.

Councilperson Kirchner was concerned about having someone within City Hall during the noon hour to answer telephone calls.

Mr. Wink Lindahl of the Minnesota Corn Processor's was in attendance at the meeting asking the council's support in approving various permits so that they are able to proceed with the construction of their facility.

Mr. Alan Holmes was appointed to serve on the Personnel Committee and the Transportation Committee of the City Council.

A request was received from the Marshall Public Schools in regard to them acquiring from the city the old dump grounds along Southview Drive or the possibility of exchanging this parcel of property for that property the Marshall Public School owns on Legion Field along Kendall Street. This request was referred to the Public Works Committee to be discussed with representatives from the Marshall Public Schools.

Mr. Duane Aden indicated to the council and the members in attendance at the meeting that there would be a public hearing held on August 6, 1982 in regard to the extension of Erie Road and the railroad extension for the Minnesota Corn Processor's.

Upon motion made by Schlagel, seconded by Ritter, the meeting was adjourned. All voted aye.


Mayor

ATTEST:


City Clerk

SPECIAL MEETING - JULY 21, 1982

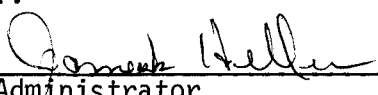
Mayor called the meeting to order at 8 A.M. on Wednesday, July 21, 1982.
Members present: Breczinski, Holmes, Kirchner, Ritter, Purrington and Rogalski.

Mayor Schlagel stated that the purpose of the meeting was to discuss the Redevelopment Agreement between the City of Marshall and the Minnesota Corn Processors. Various items of the Redevelopment Agreement were discussed. It was the consensus of the members of the City Council that while various miscellaneous items in the agreement were subject to negotiation, that the requirement that the minimum assessed valuation must stay into effect for 20 years or until the tax increment financing bonds were paid would have to be a requirement in the agreement. In addition, it was the consensus of the members of the City Council that it was necessary to have the letter of credit from the Minnesota Corn Processors to be in effect on approximately September 1, 1988, prior to the certification of taxes on October 10, 1988, in order to protect the City of Marshall from any tax liability in 1989.

Following additional discussion, Kirchner moved, Ritter seconded, that the meeting be adjourned. All voted in favor.


Mayor

ATTEST:


City Administrator

SPECIAL MEETING - JULY 26, 1982

A special meeting of the Common Council of the City of Marshall and the Housing and Redevelopment Authority was scheduled for 12:00 noon on Monday, July 26, 1982. There was not a quorum of the City Council members in attendance, therefore there was no action taken by the City Council at this meeting.

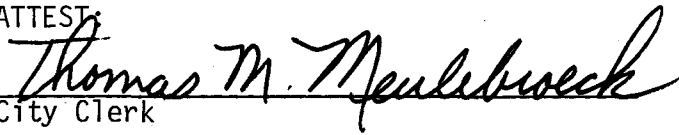
City Attorney, Brian Murphy took this opportunity to review with the Housing and Redevelopment Authority the Redevelopment and Tax Increment Finance Agreement as it relates to the property to be purchased for the development of the Minnesota Corn Processors Facility.

The Housing and Redevelopment Authority unanimously approved the Redevelopment and Tax Increment Finance Agreement as it relates to the selling of the property to the Minnesota Corn Producers for the construction of their facility.

Mayor Schlagel scheduled a special meeting of the City Council for 5:00 P.M. Monday, July 26, 1982. This meeting is to be held in the Council Chambers of the Municipal Building.


Mayor

ATTEST:


City Clerk

SPECIAL MEETING - JULY 26, 1982

The special meeting of the Common Council of the City of Marshall was called to order at 5:05 P.M. by Mayor Schlagel. In addition to the mayor the following members were present: Ritter, Breczinski & Rogalski. Absent: Purrington, Holmes and Kirchner.

City Attorney, Brian Murphy informed the council that according to his latest correspondence there are some questions in regard to the agreement between the Bank of Co-Op's and the Minnesota Corn Processor's and the City of Marshall.

SPECIAL MEETING - JULY 26, 1982 (CONT'D.)

Schlagel moved, Ritter seconded, John Suedbeck be appointed to the Housing and Redevelopment Authority Board for a term to expire on December 5, 1985. Mr. Suedbeck was appointed to this board to fill the vacancy by the resignation of Steve Lavoie. All voted in favor of the motion.

Schlagel moved, Breczinski seconded, the adoption of ORDINANCE NUMBER 120, SECOND SERIES and that the reading of the same be waived. Ordinance Number 120, Second Series is an ordinance relating to the selling of real estate between the City of Marshall and the Minnesota Corn Processor's. This ordinance allows the proper city officials to execute the deed to sell the property to the Minnesota Corn Processor's. All voted in favor of the motion.

A discussion was held at this time on the Redevelopment and Tax Increment Finance Agreement between the City of Marshall and the Minnesota Corn Processor's. Schlagel moved, Ritter seconded, the proper city officials be authorized to execute these agreements when all terms have been worked out and agreed upon by all parties. All voted in favor of the motion.

Upon motion made by Schlagel, seconded by Ritter, the meeting was adjourned. All voted aye.


Mayor

ATTEST


City Clerk

REGULAR MEETING - AUGUST 2, 1982

The regular meeting of the Common Council of the City of Marshall was held on August 2, 1982. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the mayor the following members were present: Purrington, Ritter, Breczinski, Holmes, Rogalski and Kirchner. Absent: none.

Mayor Schlagel called on Dale Collinsworth, Chamber of Commerce Executive Vice-President, on behalf of the League of Minnesota Cities to present to Mr. Duane Aden, City Engineer, a commendation letter recognizing Mr. Aden for being nominated for the C.C. Ludwig Award for his distinguished municipal service.

Purrington moved, Breczinski seconded, the approval of the minutes of the regular meeting of July 19, 1982 and the special meeting of July 21, 1982 and the special meeting of July 26, 1982 as filed with each member and that the reading of the minutes be waived. All voted in favor of the motion.

Schlagel moved, Kirchner seconded, the adoption of ORDINANCE NUMBER 121, SECOND SERIES and that the reading of the same be waived. Ordinance Number 121, Second Series is an ordinance prohibiting the operation of motorized vehicles such as mopeds, motorcycles and snowmobiles on sidewalks and bike paths. Councilperson Breczinski expressed a concern of prohibiting horses on bike paths. All voted in favor of the adoption of the ordinance.

Purrington moved, Schlagel seconded, the approval of a gambling license at a fee of \$10.00 for the Minnesota Waste Association for use at 914 West Main Street. All voted in favor of the motion.

The next item on the agenda was for a discussion with representatives from the Countryside Council. There were no members from the Countryside Council in attendance at the meeting, therefore the discussion was postponed.

Purrington moved, Breczinski seconded, the adoption of RESOLUTION NUMBER 553, SECOND SERIES and that the reading of the same be waived. Resolution Number 553, Second Series is a resolution requesting the Municipal Commission to issue an annexation order for an orderly annexation process for certain portions of North 7th Street from the Diversion Channel to the Marshall Gun Club. This resolution will provide the City of Marshall complete jurisdiction over the entire right-of-way of North 7th Street and to provide for an opportunity to make the street and utility improvements along the entire section of North 7th Street. All voted in favor of the motion.

REGULAR MEETING - AUGUST 2, 1982 (CONT'D.)

Mr. Richard E. Rasmussen of 406 North 7th Street presented to the council on behalf of the residents along North 7th Street a petition expressing their concern on the truck traffic on North 7th Street. The residents along North 7th Street are not opposed to the construction of the Minnesota Corn Processors facility but are concerned by the additional truck traffic that will take place on North 7th Street, the safety of the children living along North 7th Street and the problem that the residents along North 7th Street have with getting out of their driveways due to the already heavy traffic. Some of the residents along North 7th Street were concerned about the length of time that the Burlington Northern Railroad blocks the traffic on West Main and Fairview Street and were also concerned about the possibility of Burlington Northern Railroad fixing the railroad crossing on Fairview Street which they felt would eliminate some of the truck traffic along North 7th Street.

Schlagel moved, Rogalski seconded, the petition submitted by Mr. Richard Rasmussen in regard to the truck traffic on North 7th Street be received at this time and referred to the Public Works Committee. All voted in favor of the motion.

Schlagel moved, Ritter seconded, the adoption of RESOLUTION NUMBER 554, SECOND SERIES and that the reading of the same be waived. Resolution Number 554, Second Series is a resolution authorizing the advertisement for bids for Erie Road improvements. The improvements consist of Curb & Gutter, Street Grading, Gravel Base, Bituminous Surfacing, Sanitary Sewer, Watermain and Storm Sewer. These improvements are part of the Tax Increment Financing and special assessment projects in conjunction with the Minnesota Corn Processors Project. These bids are to be received August 30, 1982 at 5 o'clock P.M. in the Council Chambers. All voted in favor of the motion.

Schlagel moved, Ritter seconded, the adoption of RESOLUTION NUMBER 555, SECOND SERIES and that the reading of the same be waived. Resolution Number 555, Second Series is a resolution authorizing the advertisement for bids for North 7th Street improvements. The improvements consist of Curb & Gutter, Street Grading, Gravel Base, Bituminous Surfacing, Watermain and Storm Sewer. These improvements are part of the Tax Increment Financing and special assessment projects in conjunction with the Minnesota Corn Processors Project. These bids are to be received August 30, 1982 at 5 o'clock P.M. in the Council Chambers. All voted in favor of the motion.

Purrington moved, Ritter seconded, the approval of Change Order No. 1 for Winter Construction Company on the Watermain Project No. W 1981A. This change order provides for a 4" depth bituminous pavement in lieu of a 2" depth bituminous pavement as per bid. The amount of this change order is \$3,728 and is to be paid by the city and then reimbursed by the Marshall Municipal Utilities. All voted in favor of the motion.

Schlagel moved, Holmes seconded, the approval of a temporary on-sale non-intoxicating beer license for the VFW Post #742 for the month of August, 1982 at the Lyon County Fair in the amount of \$15.00 and the approval of a temporary off-sale non-intoxicating beer license in the amount of \$30.00. All voted in favor of the motion.

Holmes moved, Breczinski seconded, Monday, August 16, 1982 at 7:30 P.M. be the date and time set for the first public hearing on the 1982 General Revenue Sharing Funds. It is estimated that funds in the amount of approximately \$125,000 will be available. All voted in favor of the motion.

Breczinski moved, Schlagel seconded, and it was unanimously approved that the following bills be authorized for payment: WASTEWATER FACILITIES FUND, Voucher No. 3047 through 3065; LIQUOR FUND, Voucher No. 30195 through 30212; PARKING SYSTEM FUND, Voucher No. 2694 through 2699; DEBT SERVICE FUND, Voucher No. 1609; SPECIAL ASSESSMENT FUND, Voucher No. 241 through 244; REVENUE SHARING FUND, Voucher No. 227 through 228; GENERAL FUND, Voucher No. 74413 through 74487.

The following building permits and mobile home permits previously approved by the City Engineer were confirmed:

Vikki Hahn
1420 East College Drive
McFarland Addition, Block 2, Lot 6
Revise interior partitions
\$300

Kenneth J. Putzel
1233 Winchester Avenue
Camelot Square Mobile Home Park
Entry, \$975

REGULAR MEETING - AUGUST 2, 1982 (CONT'D.)

Emil DeMuth
115 East Saratoga Street
Blake Addition, Part of Block 1
Reroof, \$275

Vincent Buysse Construction
302 East Main Street
Auditors Plat #4, NW $\frac{1}{2}$ of Lot 6
Entry, \$4,500

Valere Vandendriessche
314 Lawrence Street
DeSchepper 1st Add., Block 1, Lot 11
Reside, \$1,800

Jeffrey R. Thomas, DDS
102 East Maple Street
Grays 2nd Addition
Garage addition, \$2,000

George Jacob Building & Remodeling
119 Circle Drive
Cuypers Addition, Lot 11
Replace windows and pillars
\$2,000

Vel-Tutt Rental
307 Timberland Drive
Village Park Mobile Home Park
Install mobile home

Mr. Duane Aden, City Engineer, discussed with the council a request he had received in regard to the removing of dirt along the Channel Parkway right-of-way. It was the general consensus of the council that this dirt be left where it is and be retained for possible city usage in the future.

Mr. Duane Aden, City Engineer, reviewed with the council a supplemental agreement between McLaughlin & Schulz, Inc., and the City of Marshall in regard to the 1982 Bituminous Overlay. The supplemental agreement refers to the sealed bids the City of Marshall received on July 6, 1982 for the 1982 construction of bituminous overlay on various streets. The bidding documents did not contain the special specifications for bituminous overlay as was the intent and usual practice. The bidder assumed that the standard specifications for bituminous surfacing was to apply to this project and submitted their corresponding bid. Breczinski moved, Schlagel seconded, the consideration for the approval of the supplemental agreement between McLaughlin & Schulz, Inc., and the City of Marshall for the 1982 Bituminous Overlay be placed on the agenda at this time. All voted in favor of the motion.

Mr. Aden indicated there were 3 alternatives in regard to the concern of the bituminous overlay on various streets. These alternatives were: not to sign the contract as it was per bid on July 6, 1982; the contractor would furnish the materials as was originally bid on July 6, 1982; or the contractor would provide the material as specified in the supplemental agreement. Schlagel moved, Ritter seconded, the supplemental agreement between McLaughlin & Schulz, Inc., and the City of Marshall for the 1982 Bituminous Overlay be approved. This agreement provides for McLaughlin & Schulz, Inc., to construct bituminous overlays using $\frac{1}{2}$ " maximum size aggregate in lieu of the $\frac{3}{4}$ " size as proposed and will use a 7.0% A.C. mixture in lieu of 6.0% A.C. mixture as proposed and in consideration of these changes the City of Marshall will pay McLaughlin & Schulz, Inc., an additional \$2.90 per ton so that the revised price per ton shall now be \$22.55. All voted in favor of the motion.

Mr. James Heller, City Administrator, briefly discussed with the council a state statute which requires applications for gambling licenses to indicate for what the proceeds are to be used. This item was referred to the city attorney for his review.

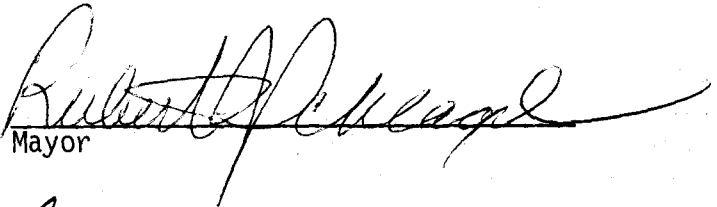
A request was received at this time from Marv Bahn, Director of Public Safety, for a transfer from the amount budgeted for the implementation of the Police Department - Sheriffs Office Communication Interface to a capital expenditure to allow for the purchase of a video camera, a recorder, a color TV set and training tapes in the amount of \$3,500. Purrington moved, Breczinski seconded, the request for a budgetary transfer in the amount of \$3,500 from the implementation of the Police Department - Sheriffs Office Communication Interface to allow for the purchase of a video camera, a recorder, a color TV set and training tapes be placed on the agenda. All voted in favor of the motion.

Purrington moved, Ritter seconded, the approval of a budgetary transfer from the amount budgeted for the Police Department - Sheriffs Office Communication Interface to the capital expenditure to allow for the purchase of a video camera, a recorder, a color TV set and training tapes in the amount of \$3,500 be approved. All voted aye.

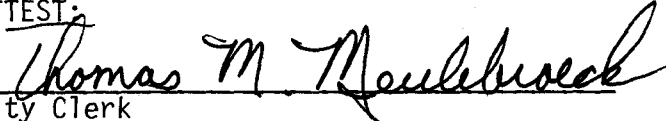
REGULAR MEETING - AUGUST 2, 1982 (CONT'D.)

Mr. Jim Heller, City Administrator, briefly discussed with the council a memo that was received from the League of Minnesota Cities in regard to some current issues affecting municipalities.

Upon motion made by Breczinski, seconded by Schlagel, the meeting was adjourned. All voted aye.


Mayor

ATTEST:


City Clerk

REGULAR MEETING - AUGUST 16, 1982

The regular meeting of the Common Council of the City of Marshall was held on August 16, 1982. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the mayor the following members were present: Ritter, Purrington, Breczinski, Holmes, Rogalski and Kirchner. Absent: none.

Breczinski moved, Ritter seconded, the approval of the minutes of the regular meeting of the Common Council held on August 2, 1982 as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

This was the time set for the first public hearing on the proposed uses of the fiscal year 1983 General Revenue Sharing Funds. Mr. Dale Collinsworth, Executive Vice-President of the Chamber of Commerce was requesting \$3,500 for economic development, Mr. Ed Scheele, Fire Chief, was requesting funds be appropriated for a new fire truck to replace the 1953 pumper that they now have.

A public hearing was held at this time on the assessment for storm sewer and sanitary sewer public improvements in Viking Addition Plat No. 3 and in Prairieview Estates. Rogalski moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 556, Second Series and that the reading of the same be waived. Resolution Number 556, Second Series is a resolution adopting the assessment for the Sanitary Sewer in Viking Addition Plat No. 3 which was part of the 1967 Trunk Sanitary Sewer Project. These assessments are due by September 23, 1982 and if not paid at that time they are to be assessed over 8 years at 12% interest with interest effective August 16, 1982. All voted in favor of the motion.

Purrington moved, Ritter seconded, the adoption of RESOLUTION NUMBER 557, SECOND SERIES and that the reading of the same be waived. Resolution Number 557, Second Series is a resolution adopting the assessment for Storm Sewer Improvement in Prairieview Estates and Viking Addition Plat No. 3. These improvements were part of the South Bruce Street Storm Sewer System and the Marshall Square Storm Sewer System and the South Central Storm Sewer System. These assessments are due and payable by September 23, 1982 and if not paid by this time will be assessed over 8 years at 12% interest with interest effective August 16, 1982. All voted in favor of the motion.

Per Minnesota Statutes 349.2, Subdivision 6, Purrington moved, Breczinski seconded, the Fraternal Order of Eagles AERIE 3405 be allowed to use the profits from their bingo and raffle operations to remodel the front of their buildings. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Ritter moved, Holmes seconded, the approval of a 5 year home occupation conditional use permit for Mr. Frank Stephens of Stephens Family Studio for a photography studio at 410 East Main Street. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Schlagel moved, Kirchner seconded, the approval of a 5 year home occupation conditional use permit for Patricia Hand at 205 East Lyon Street for a home occupation for musical repair and lessons. All voted in favor of the motion.

REGULAR MEETING - AUGUST 16, 1982 (CONT'D.)

Upon the recommendation of the Planning Commission, Schlagel moved, Breczinski seconded, the approval of a 1 year conditional use permit for Mr. John McLaughlin for exterior storage of steel pipe in an I-1 Limited Industry District at 1108 West Main Street. This permit allows Mr. McLaughlin to store approximately 100 miles of pipe at this location for the pipeline project. This pipe is for the Northern Natural Gas Company. All voted in favor of the motion.

Purrington moved, Kirchner seconded, a dance permit be granted to KMHL for a dance to be held at the National Guard Armory between the hours of 8 o'clock P.M. and 12 o'clock midnight on August 20, 1982. This request does meet the requirements of the city code per Mr. Jim Heller, City Administrator. All voted in favor of the motion.

A petition was received from the Minnesota Corn Processors for the renovation of the aeration basins at the Wastewater Treatment Facilities so they may be used as a pre-treatment facility. Rogalski moved, Ritter seconded, the proper city officials be authorized to receive this petition and the adoption of RESOLUTION NUMBER 558, SECOND SERIES and that the reading of the same be waived. Resolution Number 558, Second Series is a resolution declaring the adequacy of the petition, ordering the plans and specifications, approving the plans and specifications and ordering the advertisement for bids. These bids are to be received at 7:30 P.M. on September 20, 1982 at the regular council meeting. This project is in accordance with previous discussions with the Minnesota Corn Processors and it is the intent that these improvements be assessed under the chapter 429 statutes. All voted in favor of the motion.

Schlagel moved, Breczinski seconded, Harry Weilage, Director of Parks, Recreation and Community Education, be allowed to attend a national convention in Atlanta, Georgia during the month of December, 1982. All voted in favor of the motion.

A discussion was held at this time on ambulance charges for services provided to other city departments including the police department and fire department. Fire Chief Ed Scheele felt there should not be charges for services between departments and also indicated that if one of the firemen were injured while on duty and the city was under contract with Big Bob's Ambulance Service the City of Marshall was not billed separately for transporting one of these individuals.

Schlagel moved, Kirchner seconded, charges for services between departments be referred to the proper city officials to develop a policy on how these charges for services between departments should be handled. All voted in favor of the motion.

Schlagel moved, Purrington seconded, to allow the Office of the City Clerk to appoint judges for the upcoming primary and general elections from the list of names received from the County Auditor. All voted in favor of the motion.

Holmes moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 559, SECOND SERIES and that the reading of the same be waived. Resolution Number 559, Second Series is a resolution establishing the polling locations within the City of Marshall. All voted in favor of the motion.

Schlagel moved, Kirchner seconded, the next regular city council meeting be held on Tuesday, September 7, 1982 at 7:30 P.M. because of Labor Day. All voted in favor of the motion.

Schlagel moved, Ritter seconded, the Southwest State University Student Association be granted a 4 month temporary non-intoxicating liquor license at a fee of \$60.00. The Southwest State University Student Association is to be reminded that they are to notify the Marshall Police Department 24 hours in advance of each occurrence that they will be using this license. All voted in favor of the motion.

Schlagel moved, Ritter seconded, the approval of the transfer of the off-sale non-intoxicating beer license for Western Stores a division of Conoco Inc., to Kayo Oil Company, a wholly-owned subsidiary of Conoco Inc., effective August 17, 1982. The Western Stores will continue operating under the Western Stores brand name. All voted in favor of the motion.

Breczinski moved, Holmes seconded, and it was unanimously approved that the following bills be authorized for payment: PARKING SYSTEM FUND, Voucher No. 2700 - 2702; DEBT SERVICE FUND, Voucher No. 1610; LIQUOR FUND, Voucher No. 30213 - 30250; REVENUE SHARING FUND, Voucher No. 229; WASTEWATER FACILITIES FUND, Voucher No. 3066 through 3096 SPECIAL ASSESSMENT FUND, Voucher No. 245 - 247; GENERAL FUND, Voucher No. 74488 - 74691.

REGULAR MEETING - AUGUST 16, 1982 (CONT'D.)

The following building permits, mobile home permits and moving permits previously approved by the City Engineer were confirmed:

Geske Building & Supply Co.
228 North Whitney Street
Schutz Add., Block 2, Lot 1 & 2
reside dwelling, \$3,060

Haugen Construction
508 Jewett Street
McFarland 2nd Add., Block 2, Lot 10
dwelling - basement & framing
\$7,300

Haugen Construciton
502 Jewett Street
McFarland 2nd Add., Block 2, Lot 13
dwelling - basement & framing
\$6,800

Haugen Construction
509 Carlson Street
McFarland 2nd Add., Block 2, Lot 3
dwelling - basement & framing
\$6,800

Haugen Construction
506 Jewett Street
McFarland 2nd Add., Block 2, Lot 11
dwelling - basement & framing
\$6,800

Haugen Construction
1406 Carlson Street
McFarland 2nd Add., Block 1, Lot 2
dwelling - basement & framing
\$7,000

Haugen Construction
1300 Parkside Drive
Prairieview Estates, Block 4, Lot 5
dwelling - basement & framing
\$6,800

Haugen Construction
1304 Parkside Drive
Prairieview Estates, Block 4, Lot 7
dwelling - basement & framing
\$6,800

Emil Serreyn
110 Gray Place West
Nielsens 6th Add., Block 3, Lot 14
utility shed, \$450

Taylor's Inc.
Depot Street to West College Drive/
T.H. #19 to Fairgrounds
move garage, \$0

Schwan's Sales Enterprises
609 Ontario Road
Industrial Park #1, Block 1, Part of
Lot 2
office - retail sales depot, \$10,500

John Belsheim
112 "G" Street
DeAustin Add., Block 2, Lot 9
deck, \$400

Schwan's Sales Enterprises
600 Michigan Road
Industrial Park #1, Block 6, Lot 1 & 4
print shop - dry storage warehouse
\$22,500

Paxton Signs
200 East College Drive
Original Plat, Block 13, Lot 6
free standing sign & flat wall sign
\$400

Paxton Signs
307 East College Drive
Original Plat, Block 21, Lot 1
flat wall sign
\$500

Donald H. Stapf
407 West Marshall Street
Original Plat, Block 19, Lot 4
bath window replacement
\$200

A & D Midwest Builders Inc.
905 North 4th Street
Reeds Add., Block 1, S'yly 66' Lot 11 - 16
remodel first floor
\$1,800

Daniel Construction Company
North 7th Street
Section 28, Part of SE¼
phase I (footings & foundation)
Corn Processing Plant
\$400,000

Timothy & Anthony Rustand
902 Merlin Lane
Camelot Square Mobile Home Park
Installation of mobile home

A brief discussion was held at this time on whether to retain the same auditors for fiscal 1982 or whether the city should seek bids on the audit for 1982. Brezczinski moved this item be placed on the agenda. Due to the lack of a second the motion died. It was the general consensus of the council the discussion of who the auditors would be for fiscal year 1982 would be discussed in more detail at 1983 budget time.

A meeting was scheduled for 5 o'clock P.M. on Wednesday, August 25, 1982 at the street department to review their operations.

Councilperson Ritter requested a meeting be set up with representatives from the Marshall Public Schools and the Public Works Committee of the City of Marshall in regard to the transfer or exchange of property between the city and the public school for the dump grounds located near the Marshall public school.

REGULAR MEETING - AUGUST 16, 1982 (CONT'D.)

City Engineer Duane Aden informed the council that they are using some of the area near the gun club as a borrow for dirt for the Erie Road improvement.

Councilperson Holmes expressed a concern in regard to the school crossing at the intersection of 4th Street and Country Club Drive. He was informed that there would be school guards at this crossing.

Councilperson Rogalski expressed a concern on the daily and annual maintenance of the Marshall Municipal Swimming Pool.

Councilperson Kirchner expressed a concern of bicyclists riding on sidewalks in the downtown area. She requested that the bike patrol concentrate more on the downtown sidewalks.

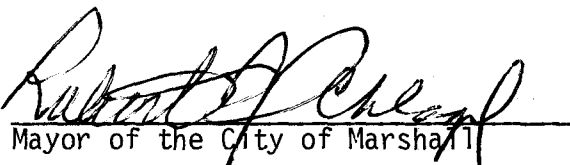
Councilperson Kirchner was also concerned about the street department garage using alternative energy conservation methods to reduce the cost of utilities for this location.

A discussion was held at this time on the 1982 Dutch Elm Program. Members of the council were informed that the policy the city is using for the reimbursing of the removal of Dutch Elm trees is 30% of the cost to remove but not to exceed \$75.00 per tree. There was some concern as to whether this program should be continued and if so how it will be financed, and whether or not they should receive proposals for 1982 reforestation. Schlagel moved, Breczinski seconded, the question of whether or not to continue the Dutch Elm Program and the receiving of proposals for the reforestation program for the 1982 Dutch Elm Program be placed on the agenda at this time. All voted in favor of the motion.

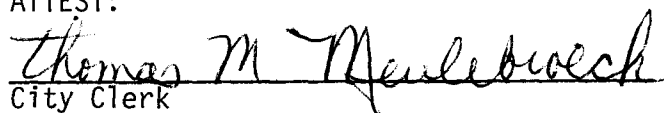
Schlagel moved, Purrington seconded, an additional \$5,000 be authorized to be spent for sanitation of the Dutch Elm Program and the city be authorized to spend \$2,000 for the reforestation of the Dutch Elm Program and that the proper city officials be authorized to receive proposals for the reforestation program on September 7, 1982 at 7:30 P.M. All voted in favor of the motion.

A discussion was held at this time as to when they would have the interviews with the Cable Franchise Committee, the number of members that would be on the committee and the length of terms for those members on the committee. It was the general consensus of the council that interviews for the applicants for the Cable Franchise Committee would be held at 6 o'clock P.M. on September 7, 1982, that there would be 7 members on the committee and the terms for these members would be 2 members for 1 year, 2 members for 2 years and 3 members for 3 years.

Upon motion made by Schlagel, seconded by Ritter, the meeting was adjourned. All voted aye.


Mayor of the City of Marshall

ATTEST:


City Clerk

SPECIAL MEETING - AUGUST 30, 1982

The special meeting of the Common Council of the City of Marshall was held on August 30, 1982. The special meeting was called to order at 5 o'clock P.M. by Mayor Schlagel. In addition to the mayor the following members were present: Purrington, Ritter, Breczinski, Holmes, Rogalski and Kirchner. Absent: none.

The purpose of this special meeting was to receive bids for Public Improvements including North 7th Street and Erie Road. The City Engineer, Duane Aden, asked if there were any additional bids to be submitted at this time, since there were no additional bids submitted, the receiving of the bids was closed.

The first series of bids received, opened and read were for street improvements which included Curb & Gutter CG 1982A-2 and CG 1982B; Street Grading SG 1982A-1 and SG 1982B; Gravel Base GB 1982A-2 and GB 1982B; and Bituminous Surfacing BS 1982A-2 and BS 1982B. The bids received, opened and read were as follows:

McLaughlin & Schulz, Inc.
Marshall, Minnesota
\$580,800.48

Duininck Bros & Gilchrist
Prinsburg, Minnesota
\$593,466.13

The second series of bids received, opened and read were for Storm Sewer Project No. STS 1982A-3 and STS 1982B. The bids received, opened and read were as follows:

Duininck Bros & Gilchrist
Prinsburg, Minnesota
\$353,087.85

Mathowetz Construction Co.
Sleepy Eye, Minnesota
\$384,301.00

Sheesley Plumbing & Heating
Mitchell, South Dakota
\$355,343.55

Quam Construction
Willmar, Minnesota
\$393,555.60

Shield Construction Co., Inc.
Worthington, Minnesota
\$356,010.27

Barborossa & Sons
Osseo, Minnesota
\$394,191.00

Gaub Inc.
Olivia, Minnesota
\$363,205.00

Midwest Contracting Inc.
Marshall, Minnesota
\$426,420.00

N. H. Snider Co.
Slayton, Minnesota
\$367,609.00

The third series of bids received, opened and read were for Watermain Project No. W 1982A-2 and W 1982B. The bids received, opened and read were as follows:

Don Bartz Excavating
Ivanhoe, Minnesota
\$69,472.12

Sheesley Plumbing & Heating
Mitchell, South Dakota
\$83,981.00

N. H. Snider Co.
Slayton, Minnesota
\$73,668.20

Mathowetz Construction Co.
Sleepy Eye, Minnesota
\$85,496.00

Duininck Bros & Gilchrist
Prinsburg, Minnesota
\$77,484.20

Quam Construction
Willmar, Minnesota
\$94,270.35

Shield Construction Co., Inc.
Worthington, Minnesota
\$78,448.01

Gaub Inc.
Olivia, Minnesota
\$89,116.00

The fourth and final series of bids received, opened and read were for Sanitary Sewer Project No. SAS 1982A-3. The bids received, opened and read were as follows:

Quam Construction
Willmar, Minnesota
\$149,766.45

Gaub Inc.
Olivia, Minnesota
\$157,582.00

Duininck Bros & Gilchrist
Prinsburg, Minnesota
\$152,408.75

Shield Construction Co., Inc.
Worthington, Minnesota
\$160,021.31

SPECIAL MEETING - AUGUST 30, 1982 (CONT'D.)

Sheesley Plumbing & Heating
Mitchell, South Dakota
\$161,189.18

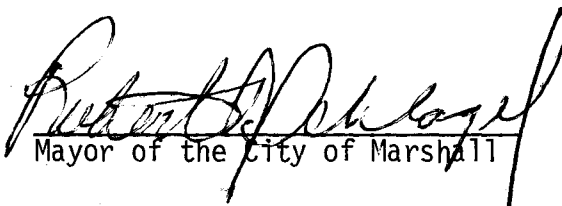
N. H. Snider Co.
Slayton, Minnesota
\$175,810.00

The bids for the street improvements, storm sewer projects, watermain project and sanitary sewer project were all referred to the City Engineer for his review.

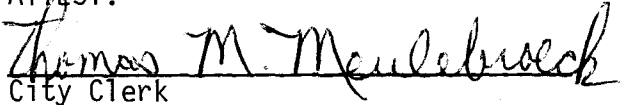
Duane Aden, City Engineer, reviewed with the council the proposed assessments for the street improvement, sanitary sewer, watermain and storm sewer improvements along Erie Road and North 7th Street.

Schlagel moved, Ritter seconded, the adoption of RESOLUTION NUMBER 560, SECOND SERIES and that the reading of the same be waived. Resolution Number 560, Second Series is a resolution declaring the amount to be assessed and calling for a public hearing for the improvements along Erie Road and North 7th Street. This public hearing is scheduled for 7:30 P.M. on Monday, September 20, 1982. All voted in favor of the motion.

Upon motion made by Schlagel, seconded by Ritter, the meeting was adjourned. All voted aye.


Mayor of the City of Marshall

ATTEST:


City Clerk

REGULAR MEETING - SEPTEMBER 7, 1982

The regular meeting of the Common Council of the City of Marshall was held on September 7, 1982. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the mayor the following members were present: Ritter, Purrington, Brezczinski, Holmes, Rogalski and Kirchner. Absent: none.

Purrington moved, Ritter seconded, the approval of the minutes of the regular meeting of the Common Council held on August 16, 1982 and the special meeting of the Common Council held on August 30, 1982 as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

Quotations were received, opened and read at this time for the 1982 Fall Tree Planting Program, along with an alternative quotation for trees to be planted within the City of Marshall parks. The quotations received, opened and read were as follows:

Bofferdings Nursery
Marshall, Minnesota
Base bid \$2,255
Alternative bid \$1,300.10

Snortums Nursery Inc.
Canby, Minnesota
Base bid \$1,875
Alternative bid \$1,125

Loren E. Jones DBA Clark's Nursery
Balaton, Minnesota
Base bid \$2,015
Alternative bid \$1,125

Purrington moved, Schlagel seconded, the bid for the 1982 Fall Tree Planting Program be awarded to Snortums Nursery, Inc., Canby, Minnesota with a base bid of \$1,875 and an alternative bid of \$1,125. The property owners wishing to purchase trees for the 1982 Fall Tree Planting Program will be charged \$18.00 per tree.

Breczinski moved to amend the motion to assess property owners 50% of the cost depending upon the type of tree purchases. Due to the lack of a second this motion died. All voted in favor of the motion, except Ritter who voted no.

REGULAR MEETING - SEPTEMBER 7, 1982 (CONT'D.)

A discussion was held at this time in regard to the removal of parking meters along the streets in the downtown area of Marshall. Bob Lage a representative of the committee in regard to the removal of the meters indicated to the council that on a survey of the downtown businessmen 32 voted to retain the meters while 31 voted to remove the meters. Due to the badeconomy, the cost to the city for retaining the meters, and the feeling that it was drawing business away from the downtown area, Mr. Darrel Hoogheem was in favor of removing the meters from the streets in downtown Marshall.

Don Gesme felt that if the meters were removed along the streets that there would be a problem with people parking along the streets for a long period of time and that there would be no rotation of vehicles.

Councilperson Breczinski felt that the meters should be removed primarily due to the bad reputation the City of Marshall has for maintaining these meters on main street.

Mayor Schlagel felt that the meters should be removed for a 90 day trial period.

Mr. Don Gesme felt there would be more dissatification amongst customers if they were given free parking for 90 days and then the meters were reinstalled and they would have to place money in the meters again.

Councilperson Ritter felt that along with the removal of the meters in the downtown area that the prohibiting of parking from 4 A.M. to 9 A.M. should also be eliminated since it does create some problems for those businesses that are open prior to 8 A.M.

Mr. Arnold Zimmerman was concerned as to what type of problem there would be along the streets if the meters were removed, since there are problems that now exist in the various parking lots with the restricted parking.

Councilperson Kirchner reiterated what she thought were some of the concerns in regard to the removal of the parking meters on the downtown streets. She indicated that she felt that one of the primary concerns of the downtown businesses was that of employees of other businesses parking near their businesses either in the lots or along the streets if the meters were removed which would reduce the parking spaces for customers, and also expressed a concern in regard to the enforcement if the meters were removed.

City Attorney Brian Murphy expressed to those in attendance at the meeting the cost involved for the processing of the tickets due to the court system which he felt was very costly to the City of Marshall.

Mr. Don Gesme was concerned if the downtown businessmen were going to be assessed a larger amount for the removal of the meters to maintain the parking system.

Schlagel moved, Purrington seconded, the meters be removed along the downtown streets for a 90 day trial period. Councilperson Purrington was concerned as to what the employees involved with the parking meters would be doing for the 90 day period of time. City Engineer Duane Aden indicated that there would be work for them to do with the meters for a short time, thereafter, was the question of how to fund the positions if there were no revenues being received due to the removal of the meters.

Mr. Phil Skramstad was concerned about the council taking the responsibility to remove the parking meters along the streets in the downtown area, but they were not concerned about the responsibility of enforcement, thereafter.

Breczinski moved, Kirchner seconded, the motion be amended to have the meters along the streets in the downtown area in the City of Marshall be removed indefinitely.

During the discussions on the removal of the meters it was discussed about the possibility of placing no parking signs from 4 A.M. to 9 A.M. along the downtown streets. Don Gesme was concerned as to where the salesman for his business were to park when they come to work at 8 A.M. in the morning. Mr. Gesme felt that if the meters were going to be removed from the downtown area that some type of enforcement policy should be established.

Mr. Archie Patzer felt that signs should be placed along the streets in the downtown area permitting 2 hour parking.

REGULAR MEETING - SEPTEMBER 7, 1982 (CONT'D.)

Councilperson Purrington moved that the removal of the parking meters from the downtown streets and the enforcement after the removal be referred to the Legislative and Ordinance Committee and that it be reviewed with the downtown merchants. Due to the lack of a second this motion died.

Councilperson Kirchner called for the question at this time. All voted in favor of removing the meters along the downtown streets indefinitely, except Rogalski who voted no.

Purrington moved, Breczinski seconded, the motion to remove the meters indefinitely be amended to include that the positions that are affected by the removal of the parking meters be given 2 weeks notice of dismissal. All voted in favor of the motion, except Rogalski who voted no.

Holmes made a motion to amend the motion in regard to the removal of the meters indefinitely and the notice to employees of dismissal to include the posting of 2 hour parking signs along the downtown streets where the meters are to be removed and that the 2 hour limit be enforced. Due to the lack of a second the motion died.

A vote was taken at this time on the motion as amended to remove the meters indefinitely and that the positions that are affected by the removal of the meters be given proper notice of dismissal. Schlagel, Kirchner, Breczinski and Ritter voted in favor of the motion. Rogalski, Holmes and Purrington voted no.

Councilperson Rogalski indicated his reasons for voting against the removal of the meters in the downtown area, were that the downtown businessmen seemed to be divided on the issue whether the meters should be removed or not; there were some questions that were not answered in regard to the parking regulations; and there were unanswered questions in regard to the enforcement once the meters have been removed.

Kirchner moved, Holmes seconded, a discussion on the enforcement in the downtown area once the meters have been removed be referred to the Legislative and Ordinance Committee and that the downtown businessmen be invited to attend this meeting. A request to allow a parking stall for the taxi was also to be discussed at this meeting. All voted in favor of the motion, except Rogalski who voted no.

Pursuant to Resolution Number 535, Second Series adopted on May 3, 1982 for Storm Sewer Project No. STS 1982A-2, Schlagel moved, Holmes seconded, the proper city officials be authorized to enter into an agreement for a deferred assessment between the City of Marshall and Westwood Acres Inc. This agreement provides for the deferment of the assessment on plate no. 5509 in the amount of \$18,436.03 and plate no. 3518-51 in the amount of \$79.48. All voted in favor of the motion.

Breczinski moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 561, SECOND SERIES and that the reading of the same be waived. Resolution Number 561, Second Series is a resolution providing for a credit for a storm assessment in Viking Addition Plate No. 3 that was recently adopted in Resolution Number 557, Second Series. At the time of development of Viking Addition Plat No. 3 the developer put in storm sewer laterals and catch basins at the intersection of James and DeSchepper Street. The cost of this work amounts to \$3,072. The amount that was assessed in Resolution Number 557, Second Series was \$1,635.08, which the developer will receive credit for by the adoption of this resolution. All voted in favor of the motion.

Ms. Leeann Jorgenson, lead teacher for the ABE/GED Program was in attendance at the meeting to review with the council members this program and request their approval of a grant application for the year beginning July 1, 1982 and ending June 30, 1983. Purrington moved, Kirchner seconded, the grant application in the amount of \$26,873 for the ABE/GED Program Activities be approved for the year beginning July 1, 1982 and ending June 30, 1983. All voted in favor of the motion.

Holmes moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 562, SECOND SERIES and that the reading of the same be waived. Resolution Number 562, Second Series is a resolution designating the Economic Development Committee of the Marshall Area Chamber of Commerce as a local Economic Development Advisory Committee to the Marshall City Council for the Minnesota "Star Cities" Program sponsored by the Department of Energy, Planning and Development. Mr. Dale Collinsworth, Executive Vice-President for the Chamber of Commerce, felt it was very beneficial to the City of Marshall to become involved in this program. All voted in favor of the motion.

Purrington moved, Holmes seconded, the recommendation of the committee negotiating

REGULAR MEETING - SEPTEMBER 7, 1982 (CONT'D.)

in behalf of the City Council and the Marshall Municipal Utilities to approve no increase in the various charges per fire hydrant rental for 1982, no increase in the regular rate for regular electric usage for 1982 which rates would give the city the lowest net cost, approved an increase in the street light rate of 3.5% per KWH from 2.8¢ KWH in 1982 and approved the franchise fee payment of 23% of the gross profits for 1981 in the amount of \$279,767.17 from the Marshall Municipal Utilities to the City of Marshall. They also approved the increase in annual salary for the Marshall Municipal Utility Commission Members from \$100 per year to \$200 per year. All voted in favor of the motion.

Mr. Al Rome, Superintendent of the Marshall Municipal Utilities, was in attendance at the meeting to discuss with the council proposed regulations by the Minnesota Public Utilities Commission concerning the application of rules and regulations concerning co-generation and small power generation upon municipal owned utilities. Mr. Rome indicated it would cost the local utilities approximately \$21,000 to conform to the rules and regulations as proposed by the Minnesota Public Utilities Commission. He indicated that there would be a hearing at Pipestone, Minnesota on September 17, 1982 at 9 o'clock A.M. and requested that the mayor along with other members of the council attend this meeting.

Breczinski moved, Schlagel seconded, that the City of Marshall support the Marshall Water, Light and Power Commission in their opposition of the rules and regulations being proposed by the Minnesota Public Utilities Commission in regard to co-generation and small power production; and that the City of Marshall also go on record as being opposed to the State Utilities Commission moving in the direction of regulating municipally owned utilities. All voted in favor of the motion.

Purrington moved, Kirchner seconded, the approval of a transient merchants license for Waterbed World at a fee of \$200 for the balance of calendar year 1982. This license will be granted upon the receiving of the proper insurance information. All voted in favor of the motion, except Breczinski who voted no.

A request was received at this time for a supplemental appropriation to provide for the purchase of a photo copier for the Department of Public Safety and the Department of Finance. The council members were concerned about how much the current copier is being used, how much would a new copier be used between the Department of Public Safety and the Department of Finance, what it would cost for maintenance agreements for the additional piece of equipment, and what type of toner and paper the machine uses and what the cost for the various supplies would be. Ritter moved, Holmes seconded, the request for a photo copier for the Department of Public Safety and the Department of Finance be postponed until the various cost of supplies and maintenance agreements and the needs for such a piece of equipment are answered. All voted in favor of the motion.

A request was received from Marshall Lanes to be refunded their annual fee for consumption and display license of \$200 and that they be refunded 1/3 of their annual fee for on-sale non-intoxicating beer license and off-sale non-intoxicating beer license. Purrington moved, Breczinski seconded, that it be the policy of the City of Marshall that they do not refund unsued portions of any licenses in the City of Marshall, therefore Marshall Lanes request to be refunded was denied. All voted in favor of the motion.

Purrington moved, Rogalski seconded, that the fee for wine license of \$700 per year be referred to the Legislative and Ordinance Committee for review. All voted in favor of the motion.

Schlagel moved, Kirchner seconded, Mr. Ed Scheele, Fire Chief, be reimbursed \$238 for an air fair ticket for out of state mileage to attend an annual meeting of the International Association of Fire Chiefs in Philadelphia during the month of September, 1982. All voted in favor of the motion.

Schlagel moved, Purrington seconded, the second public hearing for the proposed uses of fiscal year 1983 General Revenue Sharing Funds be held at the regular meeting of the Common Council held on October 4, 1982 at 7:30 P.M. All voted in favor of the motion.

A discussion was held at this time on a budgetary transfer and a supplemental appropriation for the Department of Public Safety for overtime pay. After some discussion Purrington moved, Schlagel seconded, the request for a budgetary transfer and supplemental appropriation for the Department of Public Safety for overtime pay be referred to the Ways and Means Committee for their review. It was also moved that a supplemental appropriation be approved from contingency in the amount of \$2,000 to account number 101-49-004-106 which is for police services for officers

REGULAR MEETING - SEPTEMBER 7, 1982 (CONT'D.)

working off-duty on a private security basis for those persons wishing to hire off-duty policemen from the city. All voted in favor of the motion.

Mr. Duane Aden, City Engineer, reviewed with the council a report on Fairview Street-Burlington Northern Railroad crossing rehabilitation. Mr. Aden indicated that there is a high number of rail movements at this location and a high volume of vehicle movements on this street which are predominantly heavy commercial. With the heavy usage he felt that it would be advisable to install rubber type planking at each of the crossings in this area. Mr. Aden indicated that it is possible that this project would be eligible for a federal grant through the Railroad Crossing Safety Program which is administrated through the Minnesota Department of Transportation. Ritter moved, Holmes seconded, the report on the Fairview Street and Burlington Northern Railroad crossing rehabilitation be accepted and that the proper city officials be authorized to submit a request to the Railroad Crossing Safety Program for a federal grant for the improvement to the railroad crossing on Fairview Street. All voted in favor of the motion.

Mr. Duane Aden reviewed with the council a proposed project for a mail box drop island on 3rd Street between Lyon and Redwood Street which would be installed on the North end of this area. Mr. Aden indicated there would be a raised island constructed which would be approximately 150 feet in length with 2 sets of drop mail boxes. Mr. Aden indicated there would be sufficient lighting in this area when the light is erected near the alley between Lyon and Redwood Streets. Mr. Aden also indicated the local postmaster is in favor of this project. There was some concern amongst the council members as to whether the post office would pay any portions of the cost of this improvement.

Purrington moved, Ritter seconded, the proper city officials be authorized to receive quotations for the installation of a 150 foot island between Redwood and Lyon Streets for a mail box drop. All voted in favor of the motion.

Breczinski moved, Rogalski seconded, and it was unanimously approved that the following bills be authorized for payment: GENERAL FUND, Voucher No. 74692 through 74836; WASTEWATER FACILITIES FUND, Voucher No. 3097 through 3130; PARKING SYSTEM FUND, Voucher No. 2708 through 2716; SPECIAL ASSESSMENT FUND, Voucher No. 248 through 253; DEBT SERVICE FUND, Voucher No. 1611; REVENUE SHARING FUND, Voucher No. 230 through 233; and LIQUOR FUND, Voucher No. 30251 through 30290.

Schlagel moved, Breczinski seconded, the approval of a 5 foot rear yard variance in lieu of the 15 feet as required by City Code for Mr. Henry Kyllingstad of 205 South 6th Street to construct an unattached garage. All voted in favor of the motion.

The following building permits and mobile home permits previously approved by the City Engineer were confirmed:

Gordon F. Edwards Jr.
502 Jewett Street
McFarland 2nd Add., Block 2, Lot 13
Dwelling - interior finishing
\$18,300

Curtis L. Vogt
506 Jewett Street
McFarland 2nd Add., Block 2, Lot 11
Dwelling - interior finishing
\$18,600

Steven W. Suelflow
508 Jewett Street
McFarland 2nd Add., Block 2, Lot 10
Dwelling - interior finishing
\$20,000

Steven D. Sletten
509 Carlson Street
McFarland 2nd Add., Block 2, Lot 3
Dwelling - interior finishing
\$18,300

Murray P. Sullivan
1406 Carlson Street
McFarland 2nd Add., Block 1, Lot 2
Dwelling - interior finishing, \$18,900

Ronald F. Stenzel
1304 Parkside Drive
Prairieview Estates, Block 4, Lot 7
Dwelling - interior finishing
\$18,600

Ricky C. Hartson
1300 Parkside Drive
Prairieview Estates, Block 4, Lot 5
Dwelling - interior finishing
\$18,500

Russell Labat
700 East Southview Drive
Southview Subdiv. Block 3, Lot 11
Entry
\$1,000

Jerry Lupkes
346 Timberlane Drive
Village Park Mobile Home Park
Storage room, \$800

Geske Building & Supply Co.
621 Southview Drive
Eatros Place Add., Block 5, Lot 5
Reside dwelling
\$3,500

REGULAR MEETING - SEPTEMBER 7, 1982 (CONT'D.)

Paxton Signs
400 Erie Road
Section 28, SE¼
Free standing sign
\$0

Vel Tutt Rental
105 South Whitney Street
Morningside Heights Add., Block 2, Lot 3
Utility shed
\$300

Don Klein Construction
1315 Parkside Drive
Prairieview Estates, Block 2, Lot 7
Dwelling
\$31,000

Slagel & Wambeke Inc.
1113 Jefferson Avenue
Capitol Hill Add., Block 1, Lot 22 & 23
Dwelling
\$83,000

Alvin & Lois Evers
605 Arbor Court
Parkside Add., Block 3, Lot 7
Deck
\$1,500

Danny Burt
205 East Main Street
Original Plat, Block 23, Lot 8
Rebuild rear entry roof
\$400

Am Sign & Indicator Corp.
105 Market Street
McFarland Add., Block 2, Lot 3
Free standing sign & 2 flat wall signs
\$800

Richard Doom Construction
1401 East Lyon Street
Section 3, SE¼
Church & storage building
\$141,950

Albert Serreyn
708 Nuese Lane
Nuese 2nd Add., Block 1, Lot 6
Antenna tower
\$150

Babcock Construction
105 Gray Place West
Nielsen's 6th Add., Block 4, Lot 6
Reside dwelling
\$2,100

Alan T. French
613 West Lyon Street
Auditors Plat #1, Lot 15
Garage
\$3,000

Stephen & Malinda Conley
519 Locust
Village Park Mobile Home Park
Install mobile home

VP & C Partnership
204 Cedar Lane
Village Park Mobile Home Park
Install mobile home

Henry C. Kyllingstad
205 South 6th Street
NE'ly half of Lot 7, Block 8, "A" Add.
Garage

Councilperson Purrington informed the council that the Southwest Regional Development Commission would be holding a meeting at the Marshall Inn on September 21, 1982 at 4 o'clock P.M. and that all are invited to attend.

Councilperson Ritter comended the Marshall Police Department for their fine work they had done in working with the union employees who were protesting near the construction of the Minnesota Corn Processors Facility.

Thomas M. Meulebroeck, Finance Director/City Clerk, brought the council up to date in regard to the contract parking at the Schwan's parking lot. The stalls in the back row of the lot and the second row of stalls to the back of the lot are filed with campers parked in every other stall. It was the general consensus of the council that the proper city officials be authorized to continue contract parking in the 3rd row of stalls from the rear of the Schwan's lot.

City Attorney Brian Murphy discussed with the council a public hearing to be held on September 8, 1982 at 9 o'clock A.M. at the Lyon County Commissioners room in regard to the improvement to Judicial Ditch No. 6. It was the general consensus of the council that they appeal any assessment to the City of Marshall on this project.

Councilperson Holmes was concerned about the 51 acre park in regard to some possible land scaping and planting of trees in this area. Mr. Holmes was informed this property is being farmed at this time.

A Personnel Committee meeting was set for 12 o'clock noon on September 16, 1982 at Toni's Pizza.

Councilperson Kirchner was concerned about run-down property along Saratoga Street. She was informed that there is an ordinance in regard to the abolishing of property which is a nuisance and is hazardous.

REGULAR MEETING - SEPTEMBER 7, 1982 (CONT'D.)

A meeting of the Ways and Means Committee of the Council as a whole was set for Monday, September 13, 1982 at 7 o'clock P.M. in the Council Chambers to begin reviewing the 1983 budget.


Interviews were held at 6 o'clock P.M. on September 7, 1982 for the applicants for the Cable Communication Committee. Schlagel moved, Purrington seconded, the appointment of the following individuals to the Cable Communications Committee: Gerrit Groen, Allan Anderson, Randy Schultz, Michael Dahlke, Richard Baun, Karen Hirmer, Mark Eischens, Sherlee Gregg, Ralph Tholen, Bill Cole and Frank Sturken all for a term to expire December 31, 1984. It is the intent of the council to eventually reduce this committee to 7 members and as time goes to set the length of the terms of these members. All voted in favor of the motion.

A Legislative and Ordinance Committee meeting was set for 7 o'clock A.M. on September 10, 1982 at the Country Kitchen.

Upon motion made by Schlagel, seconded by Breczinski, the meeting was adjourned. All voted aye.


Mayor

ATTEST:


City Clerk

SPECIAL MEETING - SEPTEMBER 8, 1982

The special meeting of the Common Council of the City of Marshall was held on September 8, 1982. The meeting was called to order at 5 o'clock P.M. by Mayor Schlagel. In addition to the mayor the following members were present: Ritter, Breczinski and Holmes. Absent: Purrington, Kirchner and Rogalski.

Mr. Robert Pulsher, a Representative of Springsted's Inc., was in attendance at the meeting to discuss with the council the \$575,000 G. O. Improvement Bonds of 1982, Series B and the \$3,200,000 G. O. Tax Increment Bonds of 1982. He reviewed with the council a 15 year and a 20 year pay back schedule and advised the city to seriously consider the 20 year pay back schedule.

Schlagel moved, Breczinski seconded, the adoption of RESOLUTION NUMBER 563, SECOND SERIES and that the reading of the same be waived. Resolution Number 563, Second Series is a resolution providing for the issuance and sale of \$575,000 G. O. Improvement Bonds of 1982, Series B. The bids for the \$575,000 G. O. Improvement Bonds of 1982, Series B are to be received on Wednesday, September 29, 1982 at 5 o'clock P.M. in the City of Marshall Council Chambers. All voted in favor of the motion.

Schlagel moved, Ritter seconded, the adoption of RESOLUTION NUMBER 564, SECOND SERIES and that the reading of the same be waived. Resolution Number 564, Second Series is a resolution providing for the issuance and sale of \$3,200,000 G. O. Tax Increment Bonds of 1982. The bids for the \$3,200,000 G. O. Tax Increment Bonds of 1982 are to be received on Wednesday, September 29, 1982 at 5 o'clock P.M. in the Council Chambers in the City of Marshall. All voted in favor of the motion.

Ritter moved, Breczinski seconded, the proper city officials be authorized to advertise for bids to be received on Monday, September 27, 1982 at 7 o'clock P.M. in the City of Marshall Council Chambers for railroad track work, road asphalt paving, site fencing and watermain service, watermain fire protection system, sanitary sewer system and storm sewer system for the Minnesota Corn Processors Facility. All voted in favor of the motion.

A request was received from Layne Turner DBA Southwest Lanes which is the former Marshall Lanes for an on-sale and off-sale non-intoxicating liquor license for the balance of the year 1982. Schlagel moved, Ritter seconded, the request for an on-sale and off-sale non-intoxicating liquor license for Layne Turner DBA Southwest Lanes for the balance of calendar year 1982 be placed on the agenda at this time. All voted in favor of the motion.

SPECIAL MEETING - SEPTEMBER 8, 1982 (CONT'D.)

Schlagel moved, Breczinski seconded, Layne Turner DBA Southwest Lanes be granted an on-sale and off-sale non-intoxicating liquor license for the balance of the year 1982 and the fees are to be pro-rated from September 1, 1982 through December 31, 1982. All voted in favor of the motion.

Upon motion made by Schlagel, seconded by Breczinski, the meeting was adjourned. All voted aye.

Robert A. Schlagel
Mayor

ATTEST:

Thomas M. Meulebroeck
City Clerk

REGULAR MEETING - SEPTEMBER 20, 1982

The regular meeting of the Common Council of the City of Marshall was held on September 20, 1982. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the Mayor the following members were present: Ritter, Purrington, Breczinski, Holmes, Rogalski and Kirchner. Absent: none.

Purrington moved, Breczinski seconded, the approval of the minutes of the regular meeting of the Common Council held on September 7, 1982 and the special meeting of the Common Council held on September 8, 1982 as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

Duane Aden proposed to consider four (4) resolution for: Street Improvements; Sanitary Sewer; Watermain and Storm Sewer for North 7th Street and Erie Road. Mr. Aden proposed the assessment be 12% plus the total project cost. In this assessment there are primarily three parties involved: Minnesota Corn Processors; City of Marshall and McLaughlin & Schulz, Inc. This project will be financed by 429 Improvement Bonds. The rates were discussed with the Minnesota Corn Processors and McLaughlin & Schulz, Inc., who indicated the rates were acceptable. Mr. Aden proposed a payment plan of 10 years at 11½% interest. Purrington asked if there were signed waivers. Mr. Aden said not at this time, but the owners indicated no appeal to the assessments. The waivers will be prepared by Brian Murphy for them to sign at a later date.

Purrington moved, Schlagel seconded, the approval of RESOLUTION NUMBER 565, SECOND SERIES and that the reading of the same be waived. Resolution Number 565, Second Series is a resolution adopting the assessment for Project No. CG 1982B, CG 1982A-2, SG 1982B, SG 1982A-1, GB 1982B, GB 1982A-2, BS 1982B, BS 1982A-2. The interest rate was set at 11½% for a 10 year period. All voted in favor of the motion.

Rogalski moved, Breczinski seconded, the approval of RESOLUTION NUMBER 566, SECOND SERIES and that the reading of the same be waived. Resolution Number 566, Second Series is a resolution adopting the assessment for Project No. W 1982B and W 1982A-2. The interest rate was set at 11½% for a 10 year period. All voted in favor of the motion.

Ritter moved, Rogalski seconded, the approval of RESOLUTION NUMBER 567, SECOND SERIES and that the reading of the same be waived. Resolution Number 567, Second Series is a resolution adopting the assessment for SAS 1982A-3. The interest rate was set at 11½% for a 10 year period. All voted in favor of the motion.

Rogalski moved, Holmes seconded, the approval of RESOLUTION NUMBER 568, SECOND SERIES and that the reading of the same be waived. Resolution Number 568, Second Series is a resolution adopting the assessment for Project No. STS 1982B and STS 1982A-3. The interest rate was set at 11½% for a 10 year period. All voted in favor of the motion.

Bids were opened and read at this time for the Renovation of Aeration Basins at the Wastewater Treatment Facilities. Bids received, opened and read were from:

D.W. Proel Construction Co.
Sioux Falls, South Dakota
Lump sum of \$133,400.00

Bisbee Plumbing & Heating
Marshall, Minnesota
Lump sum of \$112,360.00

REGULAR MEETING - SEPTEMBER 20, 1982 (CONT'D.)

After review of the bids by Mr. Duane Aden, City Engineer, Schlagel moved, Ritter seconded, the adoption of RESOLUTION NUMBER 569, SECOND SERIES and that the reading of the same be waived. Resolution Number 569, Second Series is a resolution awarding the bid to Bisbee Plumbing & Heating, Marshall, Minnesota in the amount of \$112,360.00. All voted in favor of the motion.

The Legislative and Ordinance Committee reported on their meeting they held to discuss the enforcement of parking in the downtown business district. Their recommendation was that no enforcement will be made at this time. More signs will be posted on main street indicating free parking in the rear of the stores. Hours may be posted for street parking at a later date. Councilperson Kirchner stated that in her opinion the delay on enforcement of parking was not forever. Councilperson Holmes was concerned about parking by apartment residents of the area, on the streets. Mayor Schlagel stated the City Code restricts parking from 2 A.M. to 6 A.M. Mayor Schlagel discussed snow removal. He stated there would be a sign placed at each end of the parking lot stating when the snow would be removed. More discussion on this at a later date.

Upon recommendation of the Ways and Means Committee, Purrington moved, Kirchner seconded, the approval of the transfer of \$6,000 from 101-49-001-101 to 101-49-004-102 (\$3,000) and 101-49-004-102 (\$3,000); the transfer of \$2,000 from 101-49-007-101 to 101-49-004-102 (\$1,000) and 101-49-005-102 (\$1,000); the approval of a supplemental appropriation in the amount of \$5,500 from contingency to 101-49-004-102 (\$2,000), to 101-49-005-102 (\$2,000), and to 101-49-012-104 (\$1,500). The committee also discussed ways of reducing overtime. All voted in favor of the motion.

Schlagel moved, Ritter seconded, to approve the application for a conditional use permit for a two family dwelling in a R-1 Single Family Residence at 122 East Main Street. Mr. Taylor was present to answer any questions. All voted in favor of the motion.

Schlagel moved, Holmes seconded, to approve a 1 year application for a home occupation conditional use permit for Marian VanDenbroeke, 900 Silvervine Drive to operate a gift shop in her home. All voted in favor of the motion.

Holmes moved, Schlagel seconded, to refer the request of Dave and Holly Moore, 508 Kossuth Street for a variance adjustment permit to construct an attached garage back to the Planning Commission for reconsideration. Different information is available now that was not available for the first meeting. Holly Moore was present to give the new information. All voted in favor of the motion.

Purrington moved, Holmes seconded, to place the application of Ms. Diane Muetzel for a conditional use permit to the agenda. All voted in favor of the motion.

Schlagel moved, Ritter seconded, to approve the application of Ms. Diane Muetzel for a conditional use permit to conduct a beauty shop business in her home at 704 North 5th Street for 1 year. All voted in favor of the motion.

Schlagel moved, Purrington seconded, to renew the contract for general liability, property insurance and workmen's compensation insurance with Corporate Risk. Brian Colway, a representative from Corporate Risk, stated that he felt the quotes were favorable for the City of Marshall. Lon Meyer, an insurance agent, stated the City would have to be negligent before the insurance would cover any claims. He described as an example: if a city worker damaged property such as an airplane at the airport the insurance would cover it, but if the wind damaged the airplane the insurance would not cover it. All voted in favor of the motion.

Purrington moved, Holmes seconded, the introduction of an ordinance to amend the ordinance prohibiting the parking of a detached truck trailer within city parking lots. All voted in favor of the motion.

Purrington moved, Kirchner seconded, the approval of a transient merchants license for Photo Corporation of American (Kinderfoto) and PCA National Inc. These licenses are good until December 31, 1982 at a fee of \$200 each. All voted in favor of the motion, except Holmes and Breczinski who voted no.

Ritter moved, Breczinski seconded, the approval of the annual bingo licenses for the VFW, Holy Redeemer and the Eagles Club. These licenses run from October 1, 1982 through September 30, 1983 at a fee of \$25.00. All voted in favor of the motion.

REGULAR MEETING - SEPTEMBER 20, 1982

Schlagel moved, Ritter seconded, the approval of an application for a consumption and display license for Southwest Lanes. This is a pro-rated license for the balance of 1982. All voted in favor of the motion.

Breczinski moved, Purrington seconded, the approval of an application for an on-sale non-intoxicating beer license for the Gambler. All voted in favor of the motion.

Discussion of the TIF Project and the TIF Pledge Agreement. Purrington stated the city should get the administration and engineering fees for the city. There is going to be a joint meeting of the Housing and Redevelopment Authority and the City of Marshall on Wednesday, September 29, 1982. There is also to be a meeting on Monday, September 27, 1982 at 5:00 P.M. to open the bids and another meeting at 7:00 P.M. with the Housing and Redevelopment Authority to pass the necessary resolutions pertaining to the Pledge Agreements and Contracts.

Breczinski moved, Kirchner seconded, to accept the recommendation of the Airport Commission for the city to enter into a lease agreement with Air Freight Express out of Minneapolis. Air Freight Express has connections with other areas transporting freight only. Air Freight Express is presently operating out of the airport. The operating agreement with them is for \$175.00 per year, with no obligation on the city's part. The city has no liability for the product that is being transported. All voted in favor of the motion.

Schlagel moved, Holmes seconded, the approval of a 30 mile an hour speed limit on Country Club Drive. All voted in favor of the motion, except Ritter who voted no.

Holmes moved, Breczinski seconded, the adoption of RESOLUTION NUMBER 570, SECOND SERIES and that the reading of the same be waived. Resolution Number 570, Second Series is a resolution concurring that part of Erie Road and Erie Road proposed extension (between T.H. 59 and T.H. 23) be designated as County-State Aid Highway. All voted in favor of the motion.

Ritter moved, Breczinski seconded, the proposed application for a change order at the Liquor Store, to eliminate the difference in elevation from the front of the cooler and the original cooler location. The proposal is to place a special bonding type concrete to the floor in a very thin wedge. Cost of the work is to be \$420.00 as per application. All voted in favor of the motion.

Discussion of the Personnel Committee concerning the FY 1983 budget was held at this time. Rogalski stated that the committee recommends that the regular employees be budgeted for the normal CPI increases and a amount equal to the CPI percentage be budgeted for the city administrator and department heads and reviewed at a later date.

Breczinski moved, Holmes seconded, to approve a resolution concerning the Constitutional Amendment on the ballots for both Amendment No. 2 (Highway) and Amendment No. 4 (Rails).

Schlagel moved, Rogalski seconded, to amend the motion to vote on each amendment separately. All voted in favor of the motion.

Purrington asked for a vote on Amendment No. 2 (Highway) which is RESOLUTION NUMBER 571, SECOND SERIES and that the reading of the same be waived. All voted in favor of the motion.

Purrington then asked for a vote on Amendment No. 4 (Rails). Breczinski and Schlagel voted yes. Ritter, Purrington, Kirchner, Rogalski and Holmes voted no.

Breczinski moved, Schlagel seconded, and it was unanimously approved that the following bills be authorized for payment: GENERAL FUND, Voucher No. 74837 through 75019; SPECIAL ASSESSMENT FUND, Voucher No. 254 through 260; DEBT SERVICE FUND, Voucher No. 1612 through 1613; WASTEWATER FACILITIES FUND, Voucher No. 3131 through 3152; PARKING SYSTEM FUND, Voucher No. 2717 through 2723; REVENUE SHARING FUND, Voucher No. 234; and LIQUOR FUND, Voucher No. 30291 through 30316.

The following building permits and mobile home permits previously approved by the City Engineer were confirmed:

J. B. Building Service Inc.
515 & 517 Village Drive
The Villages, Outlot A
Two 12 unit apartments, \$370,400

Patricia McClain
403 Sunrise Lane
Prairieview Estates, Lot 1, Block 2
Dwelling, \$60,000

REGULAR MEETING - SEPTEMBER 20, 1982 (CONT'D.)

Kesteloot & DeVries
903 Columbine Drive
Southview Subdiv. Lot 11, Block 3
Double Garage, \$4,000

Gail Schipansky
100 DeSchepper Street
Gray's 2nd Add., Lot 1 ex S'ly 4'
Double Garage, \$3,000

Randy DeVries
512 Carlson Street
McFarland 2nd Add., Lot 7, Block 1
Chimney, \$1,000

Don Klein Construction
205 North High Street
Archbold's Add., Lot 5
Dwelling, \$33,000

Slagel & Wambeke Inc.
911 West Main Street
Section 5, Part of SW $\frac{1}{4}$
Remodel entrance doors, upper and
lower bathroom, \$10,000

Daniel Construction Co.
400 Erie Road
Section 28, Part of SE $\frac{1}{4}$
Temporary Office, \$0

Marlin Besse Const.
1306 Pinehurst Road
Westwood Acres II, Lot 9, Block 2
Dwelling, \$68,500

Mobile Home
Jeffrey Berg
202 Cedar Lane
Village Park Mobile Home Park
Install mobile home

Michael Blum
1104 Cheryl Avenue
Eatros Place 7th Add., Lot 7, Block 1
Patio Door, \$500

Geske Building & Supply Co.
412 South 2nd Street
Gray's 2nd Add., Lot 7, Block 1
Reside dwelling, \$1,400

Edward Hagg Jr.
906 North 4th Street
Janzen Add., Lot 1, Block 1
Finish basement walls, \$500

Jacobson & Sons Const., Co., Inc.
400 Erie Road
Section 28 & 33, Part of SW $\frac{1}{4}$ & NE $\frac{1}{4}$
Grain Terminals, Phase I, \$320,000

John Glasgow
202 DeSchepper Street
Viking Add., Lot 5, Block 1
Finish lower level
\$2,500

North Country Homes
203 "F" Street
Nuese 2nd Add., Lot 9, Block 1
Dwelling, \$56,000

Bruce Olson Const.
609 Washington Avenue
Capitol Hill Add., Lot 5 & 6, Block 2
Dwelling, \$115,000

Variance Permit
Daniel Ritter
109 South High Street
Liberty Park Add., Lot 14, 15, 16,
Block 3 & 8' of vacated alley along
Lot 16
Garage

Councilperson Purrington questioned Duane Aden as to the status of construction of the stop lights at the intersection of 4th Street and Country Club Drive. The stop lights will be in anytime.

Purrington reminded the council of the Southwest Regional Development Commission meeting at the Marshall Inn on September 21, 1982 at 4 o'clock P.M. and that all are invited to attend.

Councilperson Ritter questioned the status of the Eagles Club liquor license. There will be a meeting concerning this matter on Thursday, September 23, 1982.

Councilperson Holmes was concerned about trucks and busses still using the 4th Street extension to the 23 by-pass instead of Country Club Drive. He inquired as to the surfacing of 4th Street to the 23 by-pass. Holmes was also concerned about traffic speed if the road was fixed up South of Freedom Park.

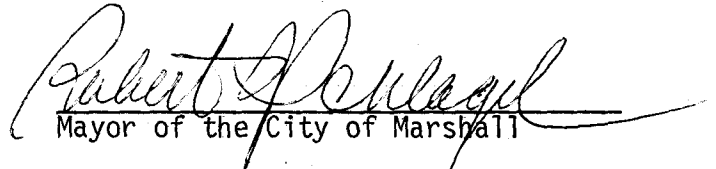
Councilperson Rogalski referred to the meeting between the Housing and Redevelopment Authority and the City of Marshall. He expressed concern about the tax increment money for use by the city instead of giving back to the county.

Councilperson Kirchner expressed concern on the status of the run-down house along Saratoga Street and that something should be done about it.

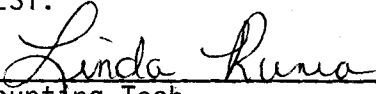
James Heller, City Administrator, discussed a request by the owner of Taco John's to hold a parking lot dance on October 30, 1982 between the hours of 8 P.M. and 1 A.M. Taco John's would have to apply for a dance license. Councilpersons expressed concern about traffic problems and noise. Councilperson Breczinski suggested they check into getting a building to hold the dance such as the Armory. The council was generally not in favor of the outside dance at Taco John's.

REGULAR MEETING - SEPTEMBER 20, 1982 (CONT'D.)

Upon motion made by Schlagel, seconded by Rogalski, the meeting was adjourned.
All voted aye.


Mayor of the City of Marshall

ATTEST:


Accounting Tech.

SPECIAL MEETING - SEPTEMBER 27, 1982

The meeting was opened at 5:00 P.M. on September 27, 1982. Present at the meeting was Councilperson Breczinski, Jim Heller, Duane Aden and Linda Runia.

Bids were closed at 5:00 P.M.

The following bids were received, opened and read by Duane Aden:

BIDS FOR PROJECT OF CONSTRUCTION OF SITE FENCING (M.C.P. PLANT)

George Jacob
130 "E" Street
Marshall, MN
\$37,254.93

Crown of Minnesota, Inc.
PO Box 1364
1200 Central Ave. NE
Minneapolis, MN
\$39,956.25

Century Fence Co.
PO Box 120
Forest Lake, MN
\$38,373.00
Alternate Bid \$35,083.75

Marcus Construction
Box 68
Prinsburg, MN
\$38,972.50

Crowley Company
10630 Nasa Street NE
Minneapolis, MN
\$41,086.25

Dakota Contracting Corp.
2208 Burlington
Sioux Falls, SD
\$33,992.50

Carlstrom Steel Supply
PO Box 1985
Mankato, MN
\$35,696.50

Midwest Fence
525 East Villaume
South St. Paul, MN
\$36,127.75

Michael's Fence & Supply
3100 East 10th Street
Sioux Falls, SD
\$36,613.95
Alternate Bids: Less \$1,610.00
1,305.00

Morris Blacktop Service
RR 1
Morris, MN
\$37,953.50


Fenc-Co, Inc.
711 Winnetka Ave. N
Golden Valley, MN
\$38,955.75

BIDS FOR PROJECT CONSTRUCTION OF ROAD ASPHALT PAVING (M.C.P. PLANT)

McLaughlin & Schulz
705 North 7th Street
Marshall, MN
\$150,878.57

The award of the bids will be Wednesday, September 29, 1982 following the bond sale at 5:00 P.M.

All bids were referred to the Engineers Office for review.


Accounting Tech.

SPECIAL MEETING - SEPTEMBER 27, 1982

The Special Meeting of the Common Council of the City of Marshall was held on September 27, 1982. The meeting was called to order at 7:00 P.M. by Mayor Schlagel. In addition to the mayor the following members were present: Kirchner, Rogalski, Holmes, Breczinski, Ritter and Purrington. Absent: none.

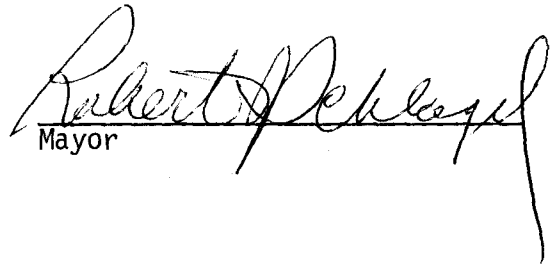
Mayor Schlagel stated that the purpose of the meeting was to approve a resolution relating to the approval and execution of various documents between the City of Marshall and the Housing and Redevelopment Authority relating to the financing of the City of Marshall Redevelopment Project No. 1.

City Attorney Brian Murphy reviewed with members of the City Council and the Housing and Redevelopment Authority the contents of the contract between the City of Marshall and the Housing and Redevelopment Authority including the provisions for the payment of administration and engineering fees from excess increments. Also discussed was the contents of the Tax Increment Pledge Agreement.

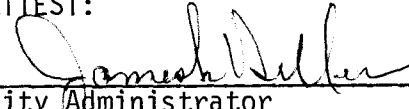
Schlagel moved, Ritter seconded, the approval of RESOLUTION NUMBER 572, SECOND SERIES and that the reading of the same be waived. Resolution Number 572, Second Series is a resolution relating to the approval and execution of a contract and a Tax Increment Pledge Agreement by and between the City of Marshall and the Housing and Redevelopment Authority in and for the City of Marshall relating to the financing of City of Marshall Redevelopment Project No. 1. All voted in favor of the motion.

Schlagel moved, Breczinski seconded, the acceptance of an irrevocable stand-by letter of credit no. 2074 and no. 2073, both dated September 29, 1982 in the amount of \$105,000 and \$495,000 respectively from the Saint Paul Bank for Cooperatives for the account of Minnesota Corn Processors. All voted in favor of the motion.

Upon motion and a second, the meeting was adjourned. All voted aye.


Mayor

ATTEST:


City Administrator

SPECIAL MEETING - SEPTEMBER 29, 1982

The Special Meeting of the Common Council of the City of Marshall was held on September 29, 1982. The meeting was called to order at 5:00 o'clock P.M. by Mayor Schlagel. In addition to the Mayor the following members were present: Ritter, Breczinski, Holmes and Rogalski. Absent: Kirchner and Purrington.

The purpose of the special meeting was to receive bids and award the sale of the \$575,000 G. O. Improvement Bonds of 1982 Series B and to receive bids and award the sale of the \$3,200,000 G. O. Tax Increment Bonds of 1982.

The bids for the public improvements including North 7th Street and Erie Road; the bid for the construction of the road asphalt paving for the Minnesota Corn Processors Plant; the bid for the construction of site fencing for the Minnesota Corn Processors Plant; and the bid for the renovation of the aeration basins at the Wastewater Treatment Facilities were to be awarded at this meeting also.

Mr. Robert Pulscher, a representative from Springsted's Inc., was in attendance at the meeting. He opened the bids for the \$575,000 G. O. Improvement Bonds of 1982 Series B and the bids for the \$3,200,000 G. O. Tax Increment Bonds of 1982. Mr. Pulscher indicated to the council members and others in attendance at the meeting that the City of Marshall had recently received a change in bond rating from Moody Investors Service from a Baa-1 to an A and that with this change it prompted more investment firms to submit a bid for these bond issues. Mr. Pulscher indicated the reason for the City of Marshall's bond rating being changed were that the enterprise funds are totally self-supporting and are able to meet the general obligation bond requirements; that the City of Marshall has had an increase in diversity of employment within the last few years; and that the City of Marshall is doing a good job in managing its finances and maintaining fund balances.

SPECIAL MEETING - SEPTEMBER 29, 1982 (CONT'D.)

The first series of bids received, opened and read were for the \$575,000 G. O. Improvement Bonds of 1982, Series B. The bids received, opened and read were from: Dain Bosworth Inc., with a net interest cost of \$291,356.25 and a net effective interest rate of 8.5274%
1st National Bank of St. Paul, with a interest cost of \$293,289.58, with a net effective interest rate of 8.5840%
BancNorthwest, with a net interest cost of \$287,542.57, and a net effective interest rate of 8.4158%.

Schlagel moved, Ritter seconded, the adoption of RESOLUTION NUMBER 573, SECOND SERIES and that the reading of the same be waived. Resolution Number 573, Second Series is a Resolution Awarding the Sale of the \$575,000 G. O. Improvement Bonds of 1982, Series B; Fixing Their Form and Specifications; Directing Their Execution and Delivery; and Providing for Their Payment. This resolution awards the sale to Banc Northwest with a net interest cost of \$287,542.57 and a net effective interest rate of 8.4158%. All voted in favor of the motion.

The second series of bids received, opened and read were for the \$3,200,000 G. O. Tax Increment Bond of 1982. The bids received, opened and read were from: John Nuveen & Co., Inc., with a net interest cost of \$4,244,319.95, and a net effective interest rate of 9.9476%
Piper, Jaffray & Hopwood, Inc., with a net interest cost of \$4,235,116.67, and a net effective interest rate of 9.9260%
The Northern Trust Company of Illinois, with a net interest cost of \$4,219,554.08, and a net effective interest rate of 9.8895%
Dain Bosworth Inc., with a net interest cost of \$4,222,291.67 and a net effective interest rate of 9.8959%

Schlagel moved, Breczinski seconded, the adoption of RESOLUTION NUMBER 574, SECOND SERIES and that the reading of the same be waived. Resolution Number 574, Second Series is a Resolution Awarding the Sale of \$3,200,000 G. O. Tax Increment Bonds of 1982; Fixing the Form and Specifications; Directing Their Execution and Delivery; and Providing for Their Payment. This resolution provides for the sale of the \$3,200,000 G. O. Tax Increment Bonds of 1982 to the Northern Trust Company of Chicago, Illinois with a net interest cost of \$4,219,554.08 and a net effective interest rate of 9.8895%. All voted in favor of the motion.

Be it noted the arrival of Councilperson Purrington.

Ritter moved, Rogalski seconded, the adoption of RESOLUTION NUMBER 575, SECOND SERIES and that the reading of the same be waived. Resolution Number 575, Second Series is a resolution awarding the bid for Sanitary Sewer, Project No. SAS 1982A-3 to Quam Construction, Willmar, Minnesota in the amount of \$149,766.45. All voted in favor of the motion.

Purrington moved, Breczinski seconded, the adoption of RESOLUTION NUMBER 576, SECOND SERIES and that the reading of the same be waived. Resolution Number 576, Second Series is a resolution awarding the bid for Street Improvements which include: Curb & Gutter, Project No. CG 1982A-2 and CG 1982B; Street Grading, Project No. SG 1982A-1 and SG 1982B; Gravel Base, Project No. GB 1982A-2 and GB 1982B; Bituminous Surfacing, Project No. BS 1982A-2 and BS 1982B to McLaughlin & Schulz Inc., Marshall, Minnesota in the amount of \$580,800.48. All voted in favor of the motion.

Ritter moved, Holmes seconded, the adoption of RESOLUTION NUMBER 577, SECOND SERIES and that the reading of the same be waived. Resolution Number 577, Second Series is a resolution awarding the bid for Watermain Project No. W 1982A-2 and W 1982B to Don Bartz Excavating, Ivanhoe, Minnesota in the amount of \$69,472.12. All voted in favor of the motion.

Schlagel moved, Breczinski seconded, the adoption of RESOLUTION NUMBER 578, SECOND SERIES and that the reading of the same be waived. Resolution Number 578, Second Series is a resolution awarding the bid for Storm Sewer, Project No. STS 1982A-3 and STS 1982B to Duininck Bros. & Gilchrist, Prinsburg, Minnesota in the amount of \$353,087.85. All voted in favor of the motion.

Breczinski moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 579, SECOND SERIES and that the reading of the same be waived. Resolution Number 579, Second Series is a resolution awarding the bid for the construction of Road Asphalt Paving at the Minnesota Corn Processors Plant to McLaughlin & Schulz, Inc., Marshall, Minnesota in the amount of \$150,878.57. Mr. Duane Aden, City Engineer, indicated that there would be a change order in the near future on this project with approximately \$50,000 reduction in the contract. All voted in favor of the motion.

SPECIAL MEETING - SEPTEMBER 29, 1982 (CONT'D.)

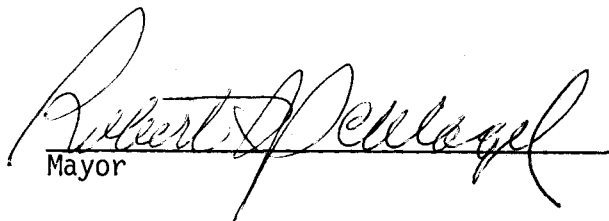
Rogalski moved, Breczinski seconded, the adoption of RESOLUTION NUMBER 580, SECOND SERIES and that the reading of the same be waived. Resolution Number 580, Second Series is a resolution awarding the bid for Renovation of the Aeration Basins at the Wastewater Treatment Facilities to Bisbee Plumbing & Heating, Marshall, Minnesota in the amount of \$112,360. All voted in favor of the motion.

Schlagel moved, Holmes seconded, the adoption of RESOLUTION NUMBER 581, SECOND SERIES and that the reading of the same be waived. Resolution Number 581, Second Series is a resolution awarding the bid for the construction of Site Fencing at the Minnesota Corn Processors Plant to Dakota Contracting Corp., Sioux Falls, South Dakota in the amount of \$33,992.50. All voted in favor of the motion.

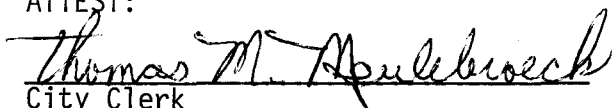
An application was received from the Beta Sigma Phi Delta Lambda Chapter for a gambling license to sell raffle tickets on the World Series to raise funds for an oxygen analyzer. Purrington moved, Schlagel seconded, the application for a gambling license from Beta Sigma Phi Delta Lambda Chapter be placed on the agenda at this time. All voted in favor of the motion.

Purrington moved, Schlagel seconded, the Beta Sigma Phi Delta Lambda Chapter be granted a gambling license to sell raffle tickets on the World Series to raise funds for an oxygen analyzer for Weiner Memorial Medical Center. All voted aye.

Upon motion made by Schlagel, seconded by Breczinski, the meeting was adjourned. All voted in favor of the motion.


Mayor

ATTEST:


City Clerk

REGULAR MEETING - OCTOBER 4, 1982

The Regular Meeting of the Common Council of the City of Marshall was held on October 4, 1982. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the mayor the following members were present: Ritter, Purrington, Breczinski, Holmes, Rogalski and Kirchner. Absent: none.

Purrington moved, Kirchner seconded, the approval of the minutes of the regular meeting of the Common Council held on September 20, 1982 as corrected and the special meeting of the Common Council held on September 27, 1982 and September 29, 1982 as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

The second public hearing was held at this time for the uses of the 1983 General Revenue Sharing Fund. James Heller, City Administrator, recited a list of the requests that had been recommended for the 1983 General Revenue Sharing Funds which consisted of: \$3,000 for rural development grant for economic development within the City of Marshall; \$3,000 for the Economic Development Committee of the Marshall Chamber of Commerce; \$40,000 for an escrow fund for a fire truck for the fire department; \$50,000 for a backhoe for the street department; and \$44,000 for an ambulance for the City of Marshall Ambulance System. There were no other additional requests from the council or other members in attendance at the meeting.

A bid was received, opened and read at this time for a 1983 model police car for the police department. The bid received, opened and read was from Southwest Ford, Marshall, Minnesota in the amount of \$9,491.54 which was for a 1983 Ford Crown Victoria "S" and included the trade-in of a 1980 Pontiac Catalina Stationwagon. Schlagel moved, Purrington seconded, the bid for a 1983 police car be awarded to Southwest Ford, Marshall, Minnesota in the amount of \$9,491.54 and that a supplemental appropriation be made from contingency in the amount of \$840 to account number 101-49-005-550. All voted in favor of the motion.

Quotations were received at 5:00 o'clock P.M. on Monday, October 4, 1982 for a concrete island to serve as a mail box drop facility on North 3rd Street. The

REGULAR MEETING - OCTOBER 4, 1982 (CONT'D.)

quotations received and opened were from Buchholtz Constrution, Marshall, Minnesota in the amount of \$1,969 and Dulas Construction, Marshall, Minnesota in the amount of \$1,795. There seemed to be some concern amongst the council members as to whether this project would help delete the congestion problem in front of the post office on Lyon Street. Councilperson Kirchner suggested that a survey be taken to see how much the different areas are being used within the post office and to see where the actual areas of traffic are. Ritter moved, Schlagel seconded, the bid for the construcion of a concrete island to serve as a mail box drop facility on North 3rd Street be awarded to Dulas Construction in the amount of \$1,795. It was expressed by the council members that it could be a possibility to have city employees construct this project or that maybe waiting 6 to 8 months and rebid that the cost for this project would probably be less than the bids submitted at this time. Those voting in favor of awarding the bid to Dulas Construcion were Schlagel, Purrington, Ritter and Holmes. Voting no were Brezczinski, Rogalski and Kirchner.

Schlagel moved, Ritter seconded, a supplemental appropriation in the amount of \$1,795 be made from the contingency to the street department for the construction of this concrete island for a mail box drop facility on North 3rd Street. Voting in favor of the motion were Schlagel, Purrington, Ritter and Holmes. Voting no were Brezczinski, Rogalski and Kirchner. Per the City Code of the City of Marshall, for a supplemental appropriation it requires a 5 to 2 vote for a supplemental appropriation, therefore the project to install a concrete island as a mail box drop facility on North 3rd Street was defeated. Mr. Duane Aden, City Engineer, indicated to the council he would review the project further and report to the council at the next regular meeting.

Schlagel moved, Brezczinski seconded, Joseph V. Bot DBA The Gambler at 303 West Main Street be granted a consumption and display license for the period beginning October 1, 1982 and expiring June 30, 1983 at a fee of \$150.00. The application is to be corrected to indicate that he was only granted an on-sale beer license. All voted in favor of the motion.

A discussion was held at this time on the location and facilities for neighborhood ice rinks within the City of Marshall. It was the general concensus of the council the location and facilities for ice rinks for the winter season in the City of Marshall be referred to the Parks, Recreation and Community Education Board.

Holmes moved, Ritter seconded, the proper city officials be authorized to enter into an agreement with Short-Elliott-Hendrickson Inc., for them to do a study on the utilization of the waste heat from the wastewater from the Minnesota Corn Processors facility for the Wastewater Treatment Plant and the economics of those methods. All voted in favor of the motion.

Purrington moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 582, SECOND SERIES and that the reading of the same be waived. Resolution Number 582, Second Series is a resolution adopting the tax levy payable in 1982 taxes with a special levy of \$340,971 with a general revenue levy of \$799,914 for a total levy of \$1,140,885. All voted in favor of the motion.

Holmes moved, Brezczinski seconded, the approval of a budgetary transfer in the amount of \$5,000 from account number 53-002-540 (street repair maintenance) to account number 91-003-540 (airport snow removal) for the purchase of a surplus vehicle from the Minnesota Department of Transportation for use as a snow plow. All voted in favor of the motion.

Brezczinski moved, Schlagel seconded, the approval of a budgetary transfer from the capital reserve account to the liquor fund account number(94-001-810 to 94-001-580)in the amount of \$495 to allow for the purchase of a used commercial rug shampooer to be used at the liquor store and also be available for the fire station and municipal building. All voted in favor of the motion.

Schlagel moved, Brezczinski seconded, the approval of change order no. 1 with Duininck Bros & Gilchrist for Project No. STS 1982A-3 and STS 1982B in the amount of \$59,257.50. This change order provides for a revision in the size of the pipe that will service the Minnesota Corn Processors Plant and also allow for the extension of the project to provide storm drainage system at the plant site. The Minnesota Corn Processors and Daniel Engineering are in agreement with this change order. All voted in favor of the motion.

Schlagel moved, Kirchner seconded, the approval of change order no. 1 with Dakota Contracting Corp., for site fencing at the Minnesota Corn Processors Plant. This change order provides for the project to begin on October 11, 1982 in lieu of

REGULAR MEETING - OCTOBER 4, 1982 (CONT'D.)

October 4, 1982 and to be completed by October 29, 1982 in lieu of October 22, 1982. This change order was also approved by the Minnesota Corn Processors and Daniel Engineering. All voted in favor of the motion.

Breczinski moved, Holmes seconded, the approval of change order no. 1 with McLaughlin & Schulz Inc., for road and asphalt paving at the Minnesota Corn Processors Plant. This change order is a deduction in the amount of \$53,766.62 which includes a deletion for the work being performed by others at the plant and also provides for a revision in the thickness of bituminous base. This change order was approved by the Minnesota Corn Processors and Daniel Engineering. All voted in favor of the motion.

Ritter moved, Purrington seconded, the approval of change order no. 1 with Bisbee Plumbing & Heating for the renovation of aeration basins at the Wastewater Treatment Facilities. This change order provides for an addition in the amount of \$1,221 which is for a transformer at the sampling recording station building so as to provide for 110 volts system as opposed to the 440 volts system at the source of power. All voted in favor of the motion.

Schlagel moved, Breczinski seconded, the adoption of RESOLUTION NUMBER 583, SECOND SERIES and that the reading of the same be waived. Resolution Number 583, Second Series is a resolution approving the plans, special provisions and specifications for the improvement of Trunk Highway 19 from 1/10th mile West of JCT County State Aid Highway 7 to JCT of old Highway 23. This is State Project No. 4204-24,25A (19=14); Federal Project No. F014-1 (41). All voted in favor of the motion.

Breczinski moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 584, SECOND SERIES and that the reading of the same be waived. Resolution Number 584, Second Series is a resolution authorizing the proper city officials for the City of Marshall to enter into an agreement with the Minnesota Department of Transportation, Agreement No. 61147. This agreement provides for payment by the City to the State for the city share of the cost of bituminous resurfacing, concrete curb & gutter, concrete walk and turf establishment construction plus the adjustment of in place frame and ring castings to be performed upon and along Trunk Highway 19 (West College Drive) from engineer station 720 + 50, approximately 1/10th of a mile West of Marlene Street to engineer station 745 + 00 near the South Second Street intersection within the corporate city limits of the City of Marshall under State Project No. 4204-25. The cost to the city for this project is estimated to be \$23,765.69. All voted in favor of the motion.

Rogalski moved, Breczinski seconded, and it was unanimously approved that the following bills be authorized for payment: LIQUOR FUND, Voucher No. 30317 through 30340; REVENUE SHARING FUND, Voucher No. 235 through 238; DEBT SERVICE FUND, Voucher No. 1614 through 1615; SPECIAL ASSESSMENT FUND, Voucher No. 261 through 263; PARKING SYSTEM FUND, Voucher No. 2724 through 2730; WASTEWATER FACILITIES FUND, Voucher No. 3153 through 3169; GENERAL FUND, Voucher No. 75020 through 75129.

The following building permits and mobile home permits previously approved by the City Engineer were confirmed:

Daniel Ritter
109 South High Street
Liberty Park Add., Block 3,
Lot 14 - 16 and 8' of vacated
alley
Garage, \$6,500

T. Eric Enterprises
204 North State Street
Frank J. McLaughlins Subdiv.
Part of 1 and 2
\$800

Jacobson & Sons Const., Inc.
400 Erie Road
Section 28, Part of SE 1/4
Temporary construction office
\$0

Woodlan Construction
105 East Main Street
Original Plat, Block 12, Lot 18 & 19
Storage Building, \$4,500

Clara Gillund
604 East Main Street
Section 9, Part of NE 1/4
Demolition of barn, \$0

John Middleton
105 North 1st Street
Original Plat, Block 11, Lot SW 1/4
32' of 1
Projecting sign, \$800

Bladholm & Hess Const., Inc.
208 East College Drive
Original Plat, Block 13, Lot 1 - 5
Computer room, \$15,000

REGULAR MEETING - OCTOBER 4, 1982 (CONT'D.)

J. Wesley Zimmerli
105 Freemont Avenue
Fre-Mar 3rd Add., Block 2, Lot 3
Relocate kitchen wall, \$600

Bruce Anderson
1107 East College Drive
Section 3, Part of NW $\frac{1}{4}$
Flat wall sign, \$200

Henry C. Kyllingstad
205 South 6th St.
"A" Add., Block 8, Lot NW $\frac{1}{2}$ of 7
Attached Garage, \$2,600

Edwin Burger
1238 Cornwall Avenue
Camelot Square Mobile Home Park
Install mobile home

Richard Mass
1240 Cornwall Avenue
Camelot Square Mobile Home Park
Install mobile home

A brief discussion was held at this time on a medical director being assigned to the City of Marshall Ambulance System. It was the general consensus of the council this be placed on the Hospital Board agenda at their next regular meeting to be held on October 11, 1982.

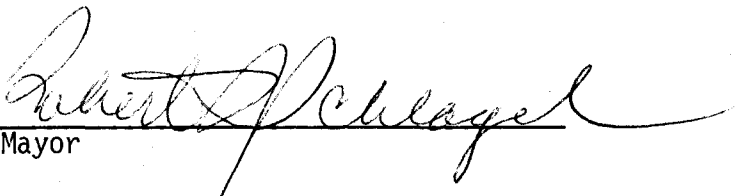
Schlagel moved, Kirchner seconded, the consideration for Peg Koska to be appointed to the Cable Communications Board be placed on the agenda at this time. All voted in favor of the motion.

Schlagel moved, Holmes seconded, Peg Koska be appointed to the Cable Communications Board. All voted in favor of the motion.

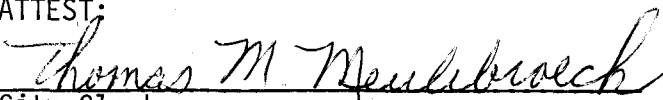
A discussion was held at this time on fund raisers for the ambulance volunteers organization. It was the general consensus of the council the ambulance volunteers organization consider methods of raising funds other than selling christmas trees.

A budget meeting was scheduled for Monday, October 11, 1982 at 7 o'clock P.M.

Upon motion made by Schlagel, seconded by Kirchner, the meeting was adjourned. All voted aye.


Mayor

ATTEST:


City Clerk

SPECIAL MEETING - OCTOBER 11, 1982

A special meeting was held on October 11, 1982 at 5:00 o'clock P.M. to receive, open and read bids for Watermain Service, Watermain Fire Protection System, Sanitary Sewer and Storm Sewer for the Minnesota Corn Processors Plant and the bids for the construction of Railroad Track Work for the Minnesota Corn Processors Plant. In attendance at this meeting were: Robert Schlagel, William Ritter, Brian Murphy, Duane Aden, James Heller and Thomas Meulebroeck.

Bids received, opened and read for the Watermain Service, Watermain Fire Protection System, Sanitary Sewer and Storm Sewer for the Minnesota Corn Processors Plant were from:

Bisbee Plumbing & Heating
Marshall, Minnesota
\$151,657.00

Shield Const., Co., Inc.
Worthington, Minnesota
\$190,440.22

Gaub Inc.
Oliva, Minnesota
\$207,110.00

Duinick Bros & Gilchrist
Prinsburg, Minnesota
\$125,824.50

SPECIAL MEETING - OCTOBER 11, 1982 (CONT'D.)

The bids received, opened and read for the construction of Railroad Track Work for the Minnesota Corn Processors Plant were from:

Trackmasters
Ankeny, Iowa
Base bid - \$517,668.00
Alternative bid - 90 lb. rail \$461,632.00
Alternative bid - 100 lb. rail \$461,293.00

Dakota Railroad Service
Fargo, North Dakota
Base bid - \$466,487.61
Alternative bid - 90 lb. rail \$448,521.87

George F. Cook Const., Co.
Minneapolis, Minnesota
Base bid - \$451,277.00
Alternative bid - 90 lb. rail \$432,277.00

American Railroad Builders Inc.
Northwood, Iowa
Base bid - \$443,856.13
Alternative bid - 90 lb. rail \$387,224.91

Wm. A. Smith Contracting Co., Inc.
Shawnee Mission, Kansas
Base bid - \$514,340.00
Alternative bid - 90 lb. rail \$465,150.00

William A. Smith Contracting Co., Shawnee Mission, Kansas also submitted other alternative bids for \$492,745.00 and for \$443,355.00.

The bids that were received, opened and read for the Watermain Service, Watermain Fire Protection System, Sanitary Sewer and Storm Sewer for the Minnesota Corn Processors Plant and the bids received, opened and read for the construction of the Railroad Track Work for the Minnesota Corn Processors Plant were referred to the City Engineer, Daniel Engineering and the Minnesota Corn Processors Plant for review.

SPECIAL MEETING - OCTOBER 11, 1982

The special meeting of the Common Council of the City of Marshall was held on Monday, October 11, 1982. The meeting was called to order at 7:00 P.M. by Mayor Schlagel. In addition to the mayor the following members were present: Kirchner, Ritter, Rogalski, Breczinski, Holmes and Purrington. Absent: none.

Mayor Schlagel stated that the purpose of the meeting was to review the proposed budget for the year 1983, but that there were also other items for consideration. Schlagel moved, Purrington seconded, to place on the agenda for consideration the award of bids for various improvements at the Minnesota Corn Processors Plant and the request for certification of applications for the position of police officer. All voted in favor of the motion.

Following discussion and the recommendation of the City Engineer, Schlagel moved, Ritter seconded that the low bid of Duinick Bros & Gilchrist for Watermain Service, Watermain Fire Protection System, Sanitary Sewer and Storm Sewer in the amount of \$125,824.50 be awarded. All voted in favor of the motion.

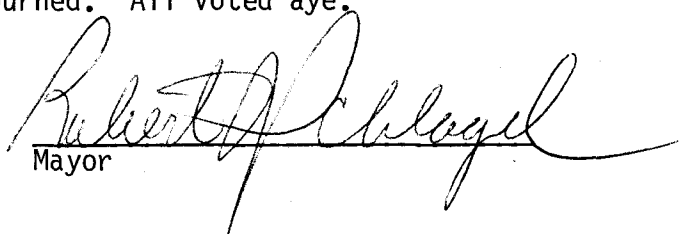
The next item of consideration were the bids for the construction of Railroad Tract Work for the Minnesota Corn Processors Plant. Following discussion and the recommendation of the City Engineer, Schlagel moved, Breczinski seconded, that the low bid of American Railroad Builders, Inc., in the amount of \$443,856.13 be awarded. All voted in favor of the motion.

These projects will be financed by the tax increment financing bonds.


Due to the resignation of police officer Barry Swanson, Rogalski moved, Purrington seconded, that the Police Civil Service Commission certify three applicants for consideration for appointment to the vacancy. All voted in favor of the motion.

SPECIAL MEETING - OCTOBER 11, 1982 (CONT'D.)

Following considerable discussion of the proposed FY 1983 budget it was moved and seconded that the meeting be adjourned. All voted aye.


Mayor

ATTEST:


City Administrator

REGULAR MEETING - OCTOBER 18, 1982

The regular meeting of the Common Council of the City of Marshall was held on October 18, 1982. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the mayor the following members were present: Ritter, Purrington, Breczinski, Holmes, Rogalski and Kirchner. Absent: none.

Holmes moved, Kirchner seconded, the approval of the minutes of the regular meeting of the Common Council held on October 4, 1982 and the two special meetings of the Common Council held on October 11, 1982 as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

A public hearing was held at this time in regard to the assessment against the Minnesota Corn Processors for improvements to the Wastewater Treatment Facilities which in turn will serve as pre-treatment for their wastewater. There were no objections received in regard to the assessment therefore, Schlagel moved, Breczinski seconded, the adoption of RESOLUTION NUMBER 585, SECOND SERIES and that the reading of the same be waived. Resolution Number 585, Second Series is a resolution adopting the assessment for the Aeration Basin Renovation for the Wastewater Pre-Treatment in the amount of \$170,089.30. This assessment is to be payable in 10 installments at 11½% effective October 18, 1982. All voted in favor of the motion.

A discussion was held at this time in regard to an application from David and Holly Moose of 508 Kossuth Street for a side yard variance to permit the construction of an attached garage closer than the 5' required side yard. Holly Moose presented to the council a drawing of the proposed garage. Ms. Moose indicated that they would be installing fire protection on all walls of the garage. Mr. & Mrs. Tom Orvis of 506 Kossuth Street were in attendance at the meeting and expressed their opposition to the granting of this variance permit to construct an attached garage closer than the 5' required for side yard variance. The Orvis's were concerned about the fire hazard and the impact that it would have on the property values. Schlagel moved, Rogalski seconded, the application to permit a side yard variance for David and Holly Moose of 508 Kossuth Street to permit the construction of an attached garage closer than the 5' required side yard be denied. All voted in favor of the motion, except Ritter and Breczinski who voted no.

Upon the recommendation of the Parks, Recreation and Community Education Board, Rogalski moved, Ritter seconded, the approval of a supplemental appropriation from contingency to account number 101-59-006-520 in the amount of \$1,500 to construct a warming house at the ice rink at Legion Field. This appropriation would include the building, wiring and heating. All voted in favor of the motion.

A discussion was held at this time on an application from Limoges Co., Inc., for a conditional use permit to construct a two family dwelling with split ownership at 1103 Travis Road in an R-2 District. Councilmember Purrington removed himself from this item of business. Brad Limoges from Limoges Co., Inc., presented to the council a copy of the plan of the twin home they intend to build on this parcel of property. Mr. Limoges indicated to the council that he felt he meet the 10 requirements to receive a conditional use permit to construct a two family under split ownership in an R-2 District. Mr. Jeff Kern of 1105 Travis Road presented a petition and spoke in behalf of the residents of West Mar Addition in regard to their objections in regard to the council approving a conditional use permit to construct a two family dwelling under split ownership at 1103 Travis Road. Mr. Kern indicated to the council and others in attendance at the meeting the reasons the residents of West Mar were opposed to granting this conditional use permit were

BLANK PAGE

REGULAR MEETING - OCTOBER 18, 1982 (CONT'D.)

they felt it would have a negative impact on their home values; that it does not fit the current neighborhood housing schemes; that it would discourage new construction of single family dwellings in their neighborhood; that this was not actually a duplex but two single family dwellings; that it would be detrimental to the health, safety, morals, comfort, convenience or welfare of the persons residing or working in the area adjacent to such use, or to the public welfare, or injurious to property or improvements to the area adjacent to such use. Mr. Alan Macht of 901 Elaine Avenue expressed his opposition to the granting of this conditional use permit since he strongly felt that it would affect the values of the properties neighboring this two family dwelling under split ownership. Schlagel moved, Breczinski seconded, the approval of the conditional use permit to construct a two family dwelling under split ownership at 1103 Travis Road in an R-2 Multiple Family Residence District. Ms. Faye Emundson of 905 Elaine Avenue was concerned as to whether or not the council was considering section 11.13 of the City Code under conditional use permits procedures which refers to the welfare and well-being of the neighbors surrounding the parcel of property being considered for the conditional use permit. Holmes moved, Kirchner seconded, the granting of this conditional use permit to construct a two family dwelling under split ownership at 1103 Travis Road in an R-2 District be postponed. Holmes and Kirchner voted in favor of the motion. Voting no were: Schlagel, Rogalski, Ritter and Breczinski. Those voting in favor of granting the conditional use permit were Schlagel, Ritter, and Breczinski. Voting no to granting the conditional use permit were Holmes, Rogalski and Kirchner. Purrington abstained. Therefore the granting of the conditional use permit to construct a two family dwelling under split ownership at 1103 Travis Road in an R-2 District was denied.

Schlagel moved, Ritter seconded, Mr. James Dwire be granted a conditional use permit to construct single family dwellings at 307 Rainbow Drive and 312 Rainbow Drive both located in an I-2 General Industry District. Mr. William Hiskin presented to the council plans of the homes to be constructed and advised that they were designed for future garages and are being built for speculation. Mr. Hiskin indicated that the lots were large enough for a 26' x 40' house with a garage to be attached. All voted in favor of the motion.

A request was received at this time from Mr. Leo DeVos of 205 South 4th Street for a variance adjustment permit to install signage in excess of the code allowable at 128 West Main Street. The sign being requested was for Mr. Hugh Kerr who rents the upper part of the building at 128 West Main Street. Mr. Kerr had originally requested a 6' x 3' projection sign which exceeds the remaining allowable area by 18 square feet and to give off intermittent light and to permit a 3' x 8' flat wall sign which exceeds the allowable by an additional 18 square feet. Mr. Kerr advised the council that he would be willing to accept just the 3' x 6' projecting sign without intermittent light. Purrington moved, Holmes seconded, the request for a variance adjustment permit to install signs at 128 West Main Street be referred to the Planning Commission for further consideration. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Purrington moved, Ritter seconded, a variance adjustment permit be granted to Mr. Joseph Inden at 409 South 1st Street to permit the construction of a chimney within 3' 4" of the side property in lieu of the 5' that is required by City Code. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Schlagel moved, Ritter seconded, a 5 year renewal for a conditional use permit for a home occupation to conduct electrical business office be granted to Mr. Tom Hess at 901 Hackberry Drive. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Purrington moved, Breczinski seconded a 5 year renewal for a home occupation conditional use permit to conduct a beauty shop be granted to Norma Raske at 1105 Washington Avenue. All voted in favor of the motion.

Purrington moved, Rogalski seconded, the dental insurance for the hospital and nursing home group be awarded to Metropolitan Life Insurance Co. The rate will be \$8.33 for single coverage which the employer pays and approximately \$15.44 for dependant coverage which the employee may purchase. All voted in favor of the motion.

Purrington moved, Rogalski seconded, the on-sale beer license for the Gambler at 303 West Main be pro-rated to \$12.50 for the period October 1, 1982 through December 31, 1982. All voted in favor of the motion.

REGULAR MEETING - OCTOBER 18, 1982 (CONT'D.)

A discussion was held at this time on the extension of a walkway, which would be a one block segment from Lyon Street to Washington Avenue and is an extension of VanBuren Street which is one block East of Bruce Street. This request would provide a better alternative for children to be able to get to Holy Redeemer School and other areas from the Nuese Addition and in the future to serve as access to the city park without having to walk in the Lyon Street and Bruce Street roadway. Previous discussions have been held in regard to installing walkways in various areas throughout the City of Marshall. Purrington moved, Breczinski seconded, the installation of this walkway connecting Lyon Street with Washington Avenue be kept on file and included as a part of a future sidewalk project. All voted in favor of the motion.

A request was received from Mankato Business Products at 100 West College Drive to install a loading zone at the corner of West Main and West College Drive. Kirchner moved, Schlagel seconded, this request to install a loading zone at the corner of West Main and West College Drive be referred to the Legislative and Ordinance Committee and to consider this request at the time when they are reviewing the downtown parking situation. All voted in favor of the motion.

Purrington moved, Schlagel seconded, the approval of a supplemental appropriation in the amount of \$20,575 from contingency to account number 101-44-001-560 to allow for the purchase of additional disk drive of 160 MB. This purchase is to be made from Tele-Terminals. All voted in favor of the motion.

Upon the recommendation of the Director of Public Safety and the City Administrator, Ritter moved, Purrington seconded, Mr. Daniel Carlson be employed as a police officer for the City of Marshall at a rate of \$8.50 per hour or \$1,473 per month effective November 3, 1982. The following resolution was adopted: BE IT RESOLVED that Daniel Carlson be duly appointed, qualified and acting full time police officer for the City of Marshall, Minnesota, possessing the power of arrest by warrant and otherwise and other authority generally conferred upon and possessed by the Municipal Police Officers in Minnesota with specific duty of enforcing the laws of the State of Minnesota and the ordinances of the City of Marshall in apprehending violators thereof and engaging in the hazards of protecting the safety and property of others. All voted in favor of the motion.

A discussion was held at this time on the Hay Pay Plan for the City of Marshall employees. Purrington moved, Schlagel seconded, the employees who are on the City of Marshall employee job evaluation committee be allowed to attend a workshop put on by Hay Associates to review the Hay Pay Plan job content evaluation. All voted in favor of the motion.

Ritter moved, Breczinski seconded, the proper city officials be authorized to make a \$200 contribution from the City of Marshall Mayor and Council dues and subscription account to the Region E Drug Investigation Unit and that the proper supplemental appropriations be made from contingency to account number 101-40-001-432. All voted in favor of the motion.

Breczinski moved, Schlagel seconded, and it was unanimously approved that the following bills be authorized for payment: GENERAL FUND, Voucher No. 75130 through 75140; LIQUOR FUND, Voucher No. 30341 through 30356; WASTEWATER FACILITIES FUND, Voucher No. 3170 through 3179; PARKING SYSTEM FUND, Voucher No. 2731 through 2734; SPECIAL ASSESSMENT FUND, Voucher No. 264; ACCOUNTS PAYABLE FUND, Voucher No. 101 through 258.

The following building permits and mobile home permits previously approved by the City Engineer were confirmed:

Schwan's Sales Enterprises
115 West College Drive
Blakes Add., Block 2
Remodel corporate office
\$52,000

Antone Kopitski
1234 Avalon Avenue
Village Park Mobile Home Park
Entry
\$200

Babcock Construction
507 Southview Drive
Eatros Place, Block 5, Lot 17
Reside dwelling
\$1,980

Bernard Shea
601 Pleasant Avenue
Fre-Mar Add., Block 3, Lot 7
Remodel kitchen
\$550

REGULAR MEETING - OCTOBER 18, 1982 (CONT'D.)

Vincent Buysse
406 East Main Street
Original Plat, Block 23, Lot 7
Enclose front porch
\$1,500

Richard Jorgensen
401 North 3rd St.
Auditor's Plat #3, Lot 5
Reside dwelling & demolish
front porch \$3,400

Diana Muetzel
704 North 5th St.
Faye F. Reeds Add., Block 3
S'y 1/2 of Lot 8
Basement remodeling
\$2,500

Slagel & Wambeke Inc.
622 Donita Avenue
3rd Add. to Eatros Place, Block 1,
Lot 3
Family Room, \$12,000

Jeff Kruse
521 Locust Avenue
Village Park Mobile Home Park
Install mobile home

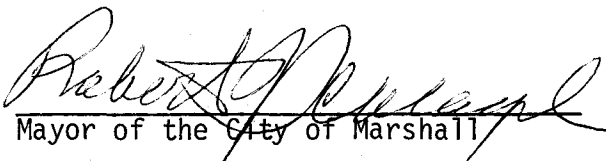
Variance adjustment permit for a side yard closer than 5 feet and for a rear yard closer than 15 feet.

Robert G. Lage
309 Jean Avenue
Section 4, 60' x 150' portion of SW 1/4 of SE 1/4
Utility shed

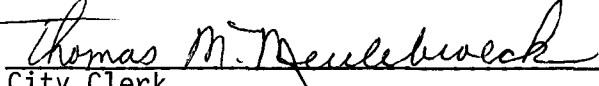
Purrington moved, Breczinski seconded, the approval of a side yard variance of 3.5' in lieu of the 5' required by City Code for Mr. Robert Lage of 309 Jean Avenue to construct a utility shed. All voted in favor of the motion.

A budget meeting was scheduled for October 25, 1982 at 7 o'clock P.M.

Upon motion made by Schlagel, seconded by Ritter, the meeting was adjourned. All voted aye.


Mayor of the City of Marshall

ATTEST:


City Clerk

REGULAR MEETING - NOVEMBER 1, 1982

The regular meeting of the Common Council of the City of Marshall was held on November 1, 1982. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the mayor the following members were present: Ritter, Purrington, Breczinski, Holmes, Rogalski and Kirchner. Absent: none.

Purrington moved, Breczinski seconded, the approval of the minutes of the regular meeting of the Common Council held on October 18, 1982 as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

A discussion was held at this time on the reconsideration of a motion to deny the conditional use permit to construct a two family dwelling under split ownership at 1103 Travis Road in an R-2 District. Councilperson Rogalski expressed what he thought was an agreeable solution for the residents of the West Mar Addition in regard to the construction of dwellings along Travis Road. Mr. Rogalski indicated he thought the residents were in favor of the lots beginning at the intersection of Elaine Street and Travis Road which is lots 1 - 4 be zoned R-1 and lots 5 and 6 remain zoned R-2.

Carsten Burros, one of the owners of West Mar Addition, expressed his dissatisfaction with the council due to the fact that this area was originally platted and zoned through the Planning Commission and City Council and that they are now trying to rezone a part of this area. Mr. Burros felt that R-2 areas in other parts of the City of Marshall do not affect the values and resale values of surrounding properties and he also felt the City Council should consider the possibility of aiding some people who are not able to purchase a home and this would give them an opportunity to purchase a smaller home and build some equity.

Jeff Kern, spokesman for the residents of West Mar Addition, indicated that it was the feeling of the people in this area that placing a two family dwelling under split ownership amongst single family residents would negatively affect the resale of the single family dwellings. Mr. Kern indicated that it the concerns of the residents of this area were not considered that they would consider the initiative, referendum, recall alternatives.

Allan Macht, a resident in West Mar Addition, felt that it would be less likely to sell a single family dwelling if it were mingled in amongst multiple family dwellings.

Councilperson Kirchner felt that it was important to consider the concerns of the neighbors to the property being considered for a two family dwelling under split ownership and she also indicated that actions of the council in the past were not necessarily binding on the current council at this time.

Councilperson Breczinski felt that the area was zoned R-2 and should be left that way since the property owners knew this area was zoned R-2 when they moved into the area.

Carsten Burros indicated that he would be in favor of rezoning Lots 2 - 4 to R-1, lots 5 and 6 remaining R-2 and lot 7 R-4 if he could be assured that they would receive council approval to construct a twin home with split ownership on lot 5.

Jeff Kern felt that the neighbors in this area would have no objection to a twin home with split ownership being constructed on lot 5.

Rogalski moved, Holmes seconded, that it be the intent of the council to approve the recommendation of the Planning Commission to compromise and allow for lots 2 - 4 to be rezoned R-1, lots 5 and 6 be zoned R-2 and lot 7 be rezoned R-4. All voted in favor of the motion, except Purrington who abstained.

A request was received from the Presbyterian and Methodist Churches for parking restrictions for approximately 4 spaces in front of each building on Lyon Street. The request was to have signs placed prohibiting parking in those spaces on Lyon Street similar to those placed in the parking lots prohibiting employees from downtown business from parking in those spaces in the morning. Kirchner moved, Schlagel seconded, the request for 4 parking stalls on Lyon Street in front of the Presbyterian and Methodist Churches be referred to the Legislative and Ordinance Committee. All voted in favor of the motion.

REGULAR MEETING - NOVEMBER 1, 1982 (CONT'D.)

A request was received at this time for a reduction in the annual license fee for on-sale intoxicating liquor license. A few of the holders of on-sale liquor licenses were in attendance at the meeting. Bruce Lamprecht from the Marshall Inn was concerned as to what the license was for and how the fee was determined. City Attorney Brian Murphy indicated that there is no maximum on the fee the city may charge for on-sale liquor license. James Heller, City Administrator, and other members of the council indicated the fee for on-sale liquor licenses is partially based on what it costs the city for police protection to take care of the problems involved with liquor. A list of other cities within the State of Minnesota and their on-sale liquor license fee was distributed to the council members.

Mike Erb, from Earth II, felt that cities of comparable size that have colleges charge a much less fee for an on-sale liquor license. Over the past few years the City of Marshall has increased from 5 on-sale liquor licenses to 9 which increases the revenue from \$25,000 to \$45,000 for the City of Marshall. Mr. Erb felt that the cost of police protection has not increased in the same proportion over the past few years. Mr. Erb felt with the current state of the economy and the increase in cost that affected business the City of Marshall should take these into consideration and possibly lower the fee for the on-sale liquor license.

Mayor Schlagel indicated to those in attendance at the meeting the current state of the economy and the increases in the various costs are not only born by other businesses but also affect the City of Marshall.

Mr. Erb felt that the City Council should study the problem and compare it with other communities. It seemed to be the general consensus of the council that the fee charged for on-sale liquor license was reasonable and that they would do nothing about it at this time.

A discussion was held at this time on a special assessment for weed removal for the property at 310 Lawrence Street. The cost for the mowing and the hauling of tree branches at 310 Lawrence Street was \$45.00. It was the general consensus of the council that due to the high cost of having a public hearing to determine the amount of the special assessment, the city directly bill the affected property owner and try to collect the \$45.00 in this manner.

Purrington moved, Schlagel seconded, the approval of change order for Project No. SAS 139-122-02 M.T.B. with McLaughlin & Schulz, Inc., for the Country Club Drive construction. This change order is in the amount of \$958.08 which is for furnishing aggregate which was used as a gravel surfacing on existing driveways and for some special work for draining of the low area next to the bike trail. All voted in favor of the motion.

Breczinski moved, Ritter seconded, and it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE FUND, Voucher No. 259 through 369.

The following building permits and mobile home permits previously approved by the City Engineer were confirmed:

Joseph Inden
409 South 1st Street
Gray's 2nd Add., Block 1, Lot 5
Chimney Closure
\$300

Daniel Construction Co.
400 Erie Road
Section 28, Part of SE $\frac{1}{4}$
Temporary Construction Office
\$0

Jerome Matinek
503 Hawthorn Drive
Southview 2nd Subdiv, Block 3, Lot 9
Finish basement bedroom
\$300

Badger Steel Structures
400 Erie Road
Section 28, Part of SE $\frac{1}{4}$
Temporary Construction Office
\$0

Virgil Halter
114 West Main Street
Original Plat, Block 11, Lot 13 & 14
Office
\$1,000

Daniel Construction Co.
400 Erie Road
Section 28, Part of SE $\frac{1}{4}$
Temporary Construction Office
\$0

Babcock Construction
500 North Minnesota Street
Ver Marv Add., Block 2, Lot 6
Reside Dwelling
\$2,900

Daniel Construction Co.
400 Erie Road
Section 28, Part of SE $\frac{1}{4}$
Temporary Construction Office
\$0

REGULAR MEETING - NOVEMBER 1, 1982 (CONT'D.)

Space Development Company
108 B South 5th Street
Marshall Right of Way, Block 7, Lot 3
Footings & Foundation - 3 unit apartment
\$6,000

R. J. Woitalewicz
1105 West College Drive
Section 3, Part of NW¼
Beauty Shop
\$1,000

Space Development Company
108 C South 5th Street
Marshall Right of Way, Block 7, Lot 3
Footings & Foundation - 3 unit apartment
\$6,000

Daniel Construction Co.
400 Erie Road
Section 28, Part of SE¼
Phase II - Footings & Foundation for
Grids 9 - 16 & Steel Frame for Grids
1 - 9, \$566,000

Don Klein Construction
211 Robert Street
Viking Add., Block 5, Lot 9
Dwelling
\$55,000

Taylor's Inc.
104 South 1st Street
Original Plat, Block 2, Lot 6
Warehouse
\$15,000

Lyon County Coop Oil Co.
201 East College Drive
Original Plat, Block 14, Lot 9, 10
and SE'ly 60' of 8
Retail Store
\$12,000

Albert Eggermont Jr.
1207 East College Drive
Section 3, SW¼ of NW¼
Entry Addition
\$18,000

Robert Wagner
344 Timberlane Drive
Village Park Mobile Home Park
Install Mobile Home

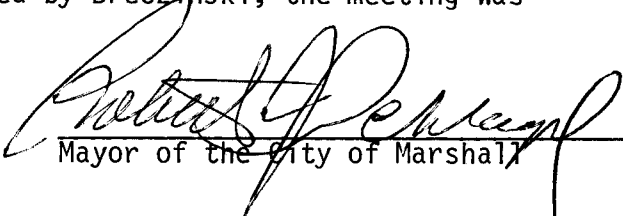
A discussion was held at this time on the speed limit on Country Club Drive of 30 MPH. Mr. Duane Aden, City Engineer, indicated to the council to change a speed limit on Country Club Drive the city would have to adopt a resolution to get the Minnesota Department of Transportation to do a study to approve the change. He indicated the city may have the flexibility to change the speed from Westwood Drive on out to the Highway 23 by-pass, but from Westwood Drive in towards the City of Marshall they may not be able to change.

A brief discussion was held at this time on the improving of South 4th Street from Elaine Street to Highway 23 by-pass. It was indicated that in order to improve this area that the city may have to pay the complete cost of improving this area or that the city may annex this parcel of property which is considered as a right-of-way and assess the improvements to the adjacent property owners, with a potential deferred assessment.

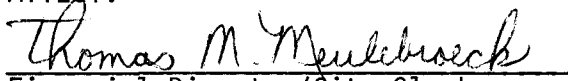
A brief discussion was held at this time on the status of the Eagles Club applying for an on-sale liquor license.

A discussion was also held on the sinage at Poor Borch's on East College Drive.

Upon motion made by Schlagel, seconded by Breczinski, the meeting was adjourned. All voted aye.


Mayor of the City of Marshall

ATTEST:


Financial Director/City Clerk

REGULAR MEETING - NOVEMBER 15, 1982

The regular meeting of the Common Council of the City of Marshall was held on November 15, 1982. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the Mayor the following members were present: Purrington, Ritter, Holmes, Rogalski and Kirchner. Absent: Breczinski.

Rogalski moved, Kirchner seconded, the approval of the minutes of the regular meeting of the Common Council held on November 1, 1982 as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

A discussion was held at this time on the granting of a variance adjustment permit to permit signage in excess of allowable at Kerr Shoe Repair at 128 West Main Street. Upon the recommendation of the Planning Commission, Holmes moved, Schlagel seconded, the approval of a variance adjustment permit to permit the construction of an additional 15 square foot of projecting sign at 128 West Main for Kerr Shoe Repair only. Mr. Kerr's intent is to construct a 6' by 3' lighted projecting sign and to remove his 2' by 3' projecting sign and the 3' by 8' flat wall sign. There was some concern as to whether this variance adjustment permit would remain at the location of 128 West Main in the case that Mr. Kerr would move from this location. Schlagel moved, Kirchner seconded, the approval of this variance adjustment permit be postponed until later in the meeting. All voted in favor of the motion.

Be it noted the arrival of Councilperson Breczinski.

Upon the recommendation of the Planning Commission, Kirchner moved, Holmes seconded, the approval of a conditional use permit for Limoges Company Inc., of Redwood Falls, Minnesota to construct a two family dwelling under split ownership at 1005 Travis Road which is in an R-2 Multiple Family Residence District. All voted in favor of the motion, except Purrington who abstained.

A discussion was held at this time on an application from James Anderson at 903 Elaine Avenue for a conditional use permit for a two family dwelling. Mr. Anderson was in attendance at the meeting and provided the council members with a map of the area. Mr. Anderson referred to a case of Pierce vs. Village of Edina, page 669 court records, where the Supreme Court decided that property entirely surrounded by commercial property justification did not exist for not allowing rezoning of the property for commercial purposes. Mr. Anderson was requesting that the property at 903 Elaine Street be zoned for a duplex as are those to the sides and across the street.

Councilperson Rogalski was concerned about the number of parking stalls that are required for the conditional use permit for a two family dwelling under single ownership in an R-1 Single Family Residence District.

Mr. Jeff Kern, 1105 Travis Road, was concerned as to whether Anderson was actually presently in violation of the ordinance or not. Mr. Kern also indicated that Mr. Anderson is not surrounded by duplexes but by single family dwellings and that to his knowledge everyone within 200' of the property at 903 Elaine Street were against the granting of a conditional use permit for a two family dwelling under single ownership.

Mr. Alan Macht of 901 Elaine Avenue reviewed with the council the history of this parcel of property, 903 Elaine Avenue, being requested for a conditional use permit to have a two family dwelling under single ownership. Mr. Macht indicated the reasons he felt opposed to the granting of the conditional use permit were the additional traffic that it would create in the area; the safety of the people in the area; the decline in resale value of the surrounding properties; and the parking problem that it would create.

City Attorney Brian Murphy indicated to the council if they deny this request for a conditional use permit that the council at some time may have to determine if the request denial is arbitrary and capricious.

Mr. Anderson was concerned as to whether the granting of a conditional use permit for a two family dwelling under single ownership at this location

would cause a negative impact to the area and why are they not willing to grant this permit when the area was originally planned with every other dwelling being designed for a duplex.

Ms. Faye Edmundson of 905 Elaine Avenue voiced her opposition to the granting of this permit and indicated that when the area was originally planned for single and multiple family homes to be intermingled it was thought that it may work but they have found that it does not work. Ms. Edmundson made reference to police reports that indicate some problems at the 903 residence. Councilperson Breczinski

REGULAR MEETING - NOVEMBER 15, 1982 (CONT'D.)

questioned the validity of the police report.

Mr. Alan Macht indicated that the reports they received were directly from the police department.

Holmes moved, Kirchner seconded, the request of Mr. James Anderson, 903 Elaine Avenue, for a conditional use permit for a two family dwelling under single ownership in an R-1 Single Family Residence District be denied. Councilperson Kirchner felt that by granting the conditional use permit for this property at 903 Elaine Avenue that the council would be spot zoning. Voting in favor of the motion to deny were: Ritter, Holmes, Rogalski and Kirchner. Voting no were Breczinski and Purrington. Schlagel abstained.

City Attorney Brian Murphy informed the council at this time that a variance could be granted for a restricted special use remains at the location for where it is granted, therefore in the case of Kerr Shoe Repair the variance of a 15 allowable feet would remain at the location of 128 West Main Street. All voted in favor of granting the variance for Kerr Shoe Repair at 128 West Main Street.

Upon the recommendation of the Planning Commission, Schlagel moved, Ritter seconded, the approval of a variance adjustment permit for Mr. Al Eggermont Jr. at 1207 East College Drive to construct projecting bow windows on the front of of the proposed addition to rental property which would result in a front yard set back on a through fare of 33' in lieu of the 35' as required by City Code. All voted in favor of the motion.

Schlagel moved, Kirchner seconded, the Southwest State University Student Association be granted a 4 month temporary non-intoxicating liquor license at a fee of \$60.00. This license is for the period December 16, 1982 to April 16, 1983. All voted in favor of the motion, except Holmes who abstained.

Proposals were received at this time from the accounting firms Gold, Carlson & Minehart and Hoffman & Brobst to do the audits for the City of Marshall for the 3 years 1982, 1983 and 1984. The fees in the proposals from the two firms were as follows: Gold, Carlson & Minehart for the annual audit for 1982 - \$14,000; 1983 - \$15,500; and 1984 - \$15,500. Hoffman & Brobst for the fiscal year 1982 - \$15,200; 1983 - \$16,100; and 1984 - \$17,000. Holmes moved, Schlagel seconded, to accept the proposal from Gold, Carlson & Minehart to do the audit for the City of Marshall for the fiscal year 1982, 1983 and 1984 at a fee of \$14,000 for 1982; \$15,500 for 1983 and \$15,500 for 1984. All voted in favor of the motion, except Breczinski who voted no.

A discussion was held at this time on the adopting of the annual budget for the City of Marshall for fiscal year 1983. There was concern expressed by the councilmembers if the question in regard to the overtime within the police department budget had been resolved. It was suggested that the possibility of reducing the number of officers on Sundays and Holidays. Mayor Schlagel felt that there was more information needed before a decision could be made on the overtime request in the police department budget. Schlagel moved, Purrington seconded, the adoption of RESOLUTION NUMBER 586, SECOND SERIES and that the reading of the same be waived. Resolution Number 586, Second Series is a resolution adopting the budget for the calendar year 1983 showing estimated revenue and expenditures of \$6,990,479. This budget includes \$1,800 in the Planning and Zoning Account to pay for the publication of the revised Zoning Ordinance and \$750 in the Elections Account for modifications at voting locations for the handicapped. All voted in favor of the motion.

Schlagel moved, Kirchner seconded, the proper city officials be authorized to advertise for bids to be received at the regular meeting to be held on December 6, 1982 for 2 snow boxes, equipment coupler, truck sander all of which are included in the 1983 budget. All voted in favor of the motion.

Schlagel moved, Kirchner seconded the proper city officials be authorized to advertise for bids to be received at the regular meeting to be held on December 20, 1982 for an ambulance. This item is included in the 1983 budget. All voted in favor of the motion.

Mr. Craig Lambert, Ambulance Director for the City of Marshall, was in attendance at the meeting to discuss various items in regard to the ambulance with the city council. Mr. Lambert indicated to the council that Mr. William Wagner M.D. of the Weiner Memorial Medical Center has agreed to serve as the Medical Director for the City of Marshall Ambulance at no cost to the City of Marshall. Mr. Lambert indicated that Mr. Wagner's malpractice insurance would cover for any problems that are incurred due to the orders given by Mr. Wagner. Mr. Lambert briefly discussed with the council the ambulance the City of Marshall would be

REGULAR MEETING - NOVEMBER 15, 1982 (CONT'D.)

receiving bids on December 20, 1982. He indicated the bids would be received without a trade-in and indicated that the type of ambulance they were seeking bids on would not have to be replaced for approximately 10 - 15 years although the chasis would have to be replaced every 4 years.

Schlagel moved, Breczinski seconded, the proper city officials be authorized to enter into new lease agreements for the airport for the calendar year 1983 using the same rates as the leases for the calendar year 1982. All voted in favor of the motion.

Schlagel moved, Ritter seconded, the approval of the annual renewal of all off-sale and on-sale beer license for the calendar year 1983. All voted in favor of the motion.

A discussion was held at this time in regard to a memo received from the City of Montevideo in regard to the registration of keg sales at municipal liquor stores. City of Montevideo incorporated a policy which requires that municipal liquor stores to register the name and address of the purchaser of kegs of beer in addition to the serial number of the keg. It was the general consensus of the council that the City of Marshall Municipal Liquor Store adopt the policy of registering the name and address of the purchaser of kegs of beer in addition to the serial number of the keg which will assist law enforcement personnel to ascertain who has supplied beer to minors at large parties.

A petition for the vacation of part of Brian Street lying between "H" Street and Calvary Cemetary was received at this time. This street presently has no public use and no projected potential use, therefore it would be vacated and reverted back to adjacent property owners. Purrington moved, Ritter seconded, the introduction of an ordinance vacating a part of Brian Street between "H" Street and Calvary Cemetary and that a public hearing be set for December 6, 1982. All voted in favor of the motion.

Ritter moved, Breczinski seconded, the approval of change order number 3 with Winter Construction Co., for Project No. SAS 1981A. This change order is in the amount of \$1,381.24 which was for pea rock beding used in lieu of sand beding. It was necessary to make a change in the type of beding for the sanitary sewer pipe in order to have the pipe installed in stable conditions. All voted in favor of the motion.

Breczinski moved, Schlagel seconded, and it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE FUND, Voucher No. 370 through 588.

The following building permits previously approved by the City Engineer were confirmed:

Michael Osmond
302 North 4th Street
Original Plat, Block 20, NW'ly ½ Lot 6
Chimney, \$450

Mal Nord
341 West Main Street
Original Plat, Block 4, Lot 11
Signs, \$0

The Floor to Ceiling Store
1107 West Main Street
Section 5 - Part of NE¼
Sign, \$0

Jacobson & Sons Const., Co., Inc.
400 Erie Road
Section 28 - Part of SE¼
Grain Terminals - Phase II, \$530,000

Schwan's Sales Enterprises
115 West College Drive
Blakes Addition, Block 2
Office remodeling, \$9,800

Bladholm & Hess Const., Inc.
705 North 7th Street
Industrial Park #1, Block 5, Lot 5
Remodel vehicle storage building
\$19,700

Schwan's Sales Enterprises
115 West College Drive
Blakes Addition, Block 2
Office remodeling, \$10,200

Louis Green
505 Lawrence Street
Viking Addition, Block 4, Lot 5
Finish basement, \$1,000

Thomas Leckband
134 Lilac Drive
Village Park Mobile Home Park
Entry, \$300

Bladholm & Hess Const., Inc.
305 Legion Field Road
Section 3 - Part of NW¼ of SE¼
Office, \$8,000

Robert J. Tholen
109 East Main Street
Original Plat, Block 12, Lot 20
Garage Slab, \$500

REGULAR MEETING - NOVEMBER 15, 1982 (CONT'D.)

A brief discussion was held at this time on the status of the Eagles Club applying for an on-sale liquor license. It was the general consensus of the council that a few members of the council would attend the next meeting of the Eagles to discuss the problem in more detail with them.

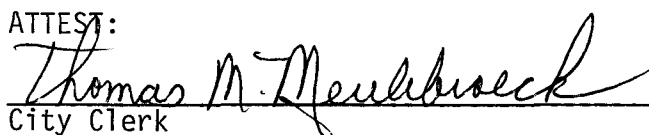
A Ways and Means Committee of the Council meeting was scheduled for Thursday, November 18, 1982 at 12 o'clock noon at Toni's.

A Legislative and Ordinance Committee of the Council meeting was scheduled for Thursday, November 18, 1982 at 7:30 P.M. in the Council Chambers.

Upon motion made by Schlagel, seconded by Ritter, the meeting was adjourned. All voted aye.


Mayor of the City of Marshall

ATTEST:


City Clerk

SPECIAL MEETING - NOVEMBER 29, 1982

A special meeting of the Common Council of the City of Marshall was called to order at 7:33 P.M. by Mayor Schlagel. In addition to the mayor the following members were present: Purrington, Ritter and Brezczinski. Absent: Holmes, Rogalski and Kirchner.

The purpose of this special meeting was to discuss financing systems for the City of Marshall.

Ritter moved, Schlagel seconded, the consideration for the approval of the Club License for the Fraternal Order of Eagles AERIE 3405 and the Marshall Golf Club for the calendar year 1983 be placed on the agenda at this time. All voted in favor of the motion.

A discussion was held at this time on the granting of a Club License to the Fraternal Order of Eagles AERIE 3405. Councilperson Ritter questioned members from the Eagles what the status was of the modifications to the facility to separate the club part of the Eagles facilities from the part that will be open to the public.

Red Cline, Chairman of the Board of Trustees of the Fraternal Order of Eagles AERIE 3405, indicated to the council members and others in attendance at the meeting that the doors to the club part may be only entered by having a card indicating that you are a member of the Eagles Club or you may enter if you are a guest of a member of the Eagles Club. The back portion of the Eagles Club is open to the public and the Eagles Club will only serve set-ups in this part and the public will be allowed to bring their own bottle to this area.

John Bolinger from the Marshall Inn was concerned about the City Council granting a Club License to the Fraternal Order of Eagles AERIE 3405 since they have made some commitments at a previous council meeting that they would make the corrections necessary at their facility and since that time various citations have been made that they have not made the changes as was indicated by the Eagles.

Al Carriere, Manager of the Eagles, indicated that they are in a transition period to change their facility to meet the requirements of the license and indicated that there is a problem with the State Statutes that it does not clearly define what a guest is and how many guests a member may have at their facility.

Mr. Cline indicated to the council that if the Eagles do not conform to the requirements of a Club License that they have the right to revoke the Club License for the Eagles.

SPECIAL MEETING - NOVEMBER 29, 1982 (CONT'D.)

Mike Erb from Earth II felt the problem that had been discussed concerning the Club License for the Eagles has been going on for some time and that there has not been any change in the operation of their facility therefore he was not comfortable with the council considering renewing their Club License.

Mr. Bruce Lamprecht of the Marshall Inn was not comfortable with the fact that if the City Council were to grant the Club License to the Fraternal Order of Eagles AERIE 3405 that everything at this facility would be kosher.

Mayor Schlagel indicated to the council and to others in attendance at the meeting that there is a transition taking place at the Eagles Club and there has been some questions as far as who may be a guest and how many guests a member has and there has been some misunderstanding as to the operations of the back room at the Fraternal Order of Eagles facility. Mayor Schlagel indicated his understanding of the operation of the Eagles from this date forward was the Eagles would serve set-ups in the back room and that people would be allowed to bring their own bottle in this area. If any other events take place in this room they are in violation of a license. The Fraternal Order of Eagles if granted the Club License can not provide liquor for any party in the backroom of this facility.

Councilperson Purrington questioned the possibility of granting a Club License for a period of less than 1 year.

City Attorney Brian Murphy indicated he had discussed this with the liquor control commission and they had indicated that they cannot grant a license for a period shorter than 1 year.

Mike Erb suggested that the council put a limitation on the number of guests a member may have.

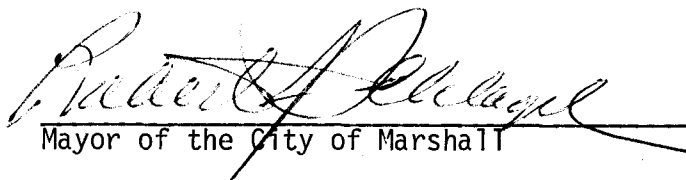
The council was assured that if there were any party at their facility in the back room that were open to the public the club would serve the set-ups only and the party would have to provide the liquor or each individual could provide their own bottle of liquor.

Breczinski moved, Schlagel seconded, the Club License for the Fraternal Order of Eagles AERIE 3405 be approved for the calendar year 1983. All voted in favor of the motion.

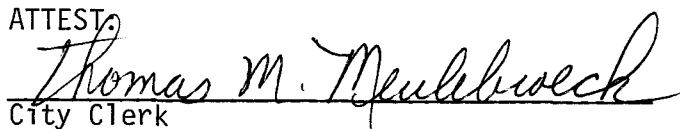
Ritter moved, Schlagel seconded, the Club License for the Marshall Golf Club be approved for the calendar year 1983. All voted in favor of the motion.

A discussion was held at this time on a financing system for the City of Marshall. This financing system refers to General Revenue Bonds that are Industrial Development Bonds issued under Minnesota Statutes, Chapter 474 for the purpose of financing eligible projects in the City of Marshall. The various committees for this type of system were discussed by those in attendance and a number of individuals were mentioned to serve on these various committees.

Upon motion made by Breczinski, seconded by Purrington, the meeting was adjourned. All voted aye.


Mayor of the City of Marshall

ATTEST:


City Clerk

REGULAR MEETING - DECEMBER 6, 1982

The regular meeting of the Common Council of the City of Marshall was held on December 6, 1982. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the mayor the following members were present: Purrington, Ritter, Breczinski, Holmes and Kirchner. Absent: Rogalski.

Purrington moved, Breczinski seconded, the approval of the minutes of the regular meeting of the Common Council held on November 15, 1982 and the special meeting of November 29, 1982 as corrected and as filed with each member and that the reading of the same be waived. Councilpeople Holmes, Kirchner and Kirchner on behalf of Rogalski indicated to the other council members that they were not happy with the council's decision to approve the club license for the Fraternal Order of Eagles AERIE 3405 and the Marshall Golf Club at the special meeting held on November 29, 1982. These council members were not notified that these club licenses would be considered at this special meeting and felt that they should be considered at a regular meeting since they are so controversial as this point. Purrington moved the club license for the Fraternal Order of Eagles AERIE 3405 be reconsidered. Due to the lack of a second the motion died. All voted in favor of the motion to approve the minutes.

A public hearing was held at this time on the vacating of a part of Brian Street between "H" Street and the Calvary Cemetery. Mr. George Marcotte, Chairman of the Cemetery Committee for the Holy Redeemer Church, stated that this committee prefer this street remain open for possible future use to the cemetery.

Councilperson Purrington questioned one of the petitioners as to their reasons for closing this part of the street? Mr. Dwayne Breyfogle indicated that this portion of the street was not used for anything, weeds grow on it, and it is not maintained by the City of Marshall. Mr. Breyfogle indicated that if this street was vacated that it was his intent to put a curb across it and seed the property.

Mr. Marcotte indicated the concern of the committee is that if in the future parades could not proceed down Main Street that they would need another access to the property and at this time Brian Street is the only other access to the cemetery other than that on Main Street. Mr. Marcotte indicated that at some time the state may not allow accesses to cemeteries from state streets and therefore this access would then be needed.

Mr. Duane Aden, City Engineer, indicated to those in attendance at the meeting that if this access was taken away by the state that the state would probably reimburse the organization to make changes for an entrance to the cemetery.

Schlagel moved, Ritter seconded, the adoption of an ordinance to vacate the right-of-way in the City of Marshall. This ordinance refers to Brian Street between "H" Street and the Calvary Cemetery.

Purrington moved, Kirchner seconded, the motion be amended to provide for a 40' public easement so that if access were needed for the cemetery this would be available. This easement would allow the property on both sides to be sodded and that if necessary the cemetery would be able to access this property at a later date. Purrington and Kirchner voted in favor of the motion. Schlagel, Ritter, Holmes and Breczinski voted no.

Purrington felt that since there is one party objecting to the vacating of this property that the request to vacate this area should be denied.

Ritter, Schlagel and Holmes voted in favor of vacating Brian Street. Voting no were Purrington, Kirchner and Breczinski, therefore the ordinance to vacate Brian Street between "H" Street and the Cemetery was defeated.

Bids were received, opened and read at this time for two truck snow boxes for the Street Department, a chassis mounted dump/spreader truck body for the Street Department and a quick coupler system for a loader for the Street Department.

The first series of bids received, opened and read were for the two truck snow boxes for the Street Department. A bid was received from Bryan Equipment Co., Brainerd, Minnesota in the amount of \$8,425.88 with a trade-in of \$1,100 for a net bid of \$7,325.88.

The second series of bids received, opened and read were for a chassis mounted dump/spreader truck body for the Street Department. The bids received, opened and read were from Schweigers Inc., Sioux Falls, SD in the amount of \$12,999.00; and Itasca Equipment Co., Savage, Minnesota in the amount of \$9,877.00.

REGULAR MEETING - DECEMBER 6, 1981 (CONT'D.)

The third series of bids received, opened and read were for a quick coupler system for a loader for the Street Department. The bids received, opened and read were from Ziegler, Marshall, Minnesota in the amount of \$4,583.00; Itasca Equipment Co., Savage, Minnesota in the amount of \$4,571.00; Road Machinery & Supplies Co., Minneapolis, Minnesota in the amount of \$4,675.00; Bryan Equipment Co., Brainard, Minnesota in the amount of \$4,850.00; and Piorier Equipment Co., Sioux Falls, SD in the amount of \$4,789.00.

All bids were referred to the City Engineer for his review.

Purrington moved, Ritter seconded, the adoption of RESOLUTION NUMBER 587, SECOND SERIES and that the reading of the same be waived. Resolution Number 587, Second Series is a resolution establishing a need for abatement of weed and debris nuisance. A public hearing was set for December 20, 1982 at 7:30 P.M. This resolution refers to the property at 310 Lawrence Street. All voted in favor of the motion.

Mr. Michael Boedigheimer reviewed with the council the revised Constitution and By-Laws of the Marshall Volunteer Fire Department. Ritter moved, Kirchner seconded, the revised Constitution and By-Laws of the Marshall Volunteer Fire Department be approved as submitted contingent upon the approval of the Volunteer Fire Department meeting to be held on December 7, 1982. All voted in favor of the motion.

Upon the recommendation of the City Engineer, Ritter moved, Holmes seconded, the bid for the two truck snow boxes for the Street Department be held for further review and not be awarded at this time. The bid for the chassis mounted dump/spreader truck body for the Street Department be awarded to Itasca Equipment Co., Savage, Minnesota in the amount of \$9,877.00 and that the bid for the quick coupler system for the loader for the Street Department be awarded to Itasca Equipment Co., Savage, Minnesota in the amount of \$4,571.00. All voted in favor of the motion.

City Engineer Duane Aden reviewed with the council and other members in attendance at the council meeting a Municipal State Aid Street Construction 5 Year Program. Ritter moved, Breczinski seconded, the adoption of RESOLUTION NUMBER 588, SECOND SERIES and that the reading of the same be waived. Resolution Number 588, Second Series is a resolution adopting a Municipal State Aid Street Construction 5 Year Program. All voted in favor of the motion.

Holmes moved, Breczinski seconded, the approval of change order no. 1 with Don Bartz Excavating for Project No. W 1982A-2 and W 1982B in the amount of \$375 for the extra work to install 2 valves at the intersection of Erie Road and the Minnesota Corn Processors Plant entrance drive. All voted in favor of the motion.

On the request by the City of Montevideo, Purrington moved, Ritter seconded, the adoption of RESOLUTION NUMBER 589, SECOND SERIES and that the reading of the same be waived. Resolution Number 589, Second Series is a resolution requesting the State Legislature to repeal Minnesota State Statute 176.182 in regard to Worker's Compensation Insurance requirements for the issuance of licenses and permits by municipalities. This resolution is to include a provision whereby municipalities are exempt from any contingent potential liability for workmen's compensation insurance on those individuals and persons receiving licenses and permits since municipalities do not have the opportunity or ability to supervise the work habits of those businesses and individuals. All voted in favor of the motion.

Purrington moved, Schlagel seconded, the recommendations of the Employee Job Content Evaluation Committee be approved. The recommendations were that no employee serving on this committee be evaluated by this committee but either evaluated by the City Administrator or Hay & Associates; that all department heads including the City Administrator be evaluated by Hay & Associates or the City Administrator; that an annual agreement be established between the City of Marshall and Hay & Associates for purposes of updating and evaluating the current plan; and that a part day workshop be established with Hay & Associates for the City Council and the Committee regarding an improvement of understanding of the Hay Pay Plan with emphasis directed toward the pay plan and not on the function of the committee. It was the feeling of the committee that the positions that have been evaluated be re-evaluated plus all other classifications be re-evaluated for consistency. All voted in favor of the motion.

A discussion was held at this time on an amendment to the City Personnel Policy to provide shift pay for exempt Police Officers. This would be for the shifts that start between 5 o'clock and 11 o'clock P.M. Kirchner moved, Holmes seconded, the amendment to the City Personnel Policy to provide for shift pay for

REGULAR MEETING - DECEMBER 6, 1982 (CONT'D.)

exempt Police Officers be referred to the Ways and Means Committee. All voted in favor of the motion, except Breczinski who voted no.

Mr. Marvin Bahn, Director of Public Safety, reported to the council he is looking at various alternatives to reduce overtime within the Department of Public Safety. Some methods that he is considering are to use part time officers more often, the possibility of scheduling officers to take Friday's as their day off and Sergeants to take Wednesday's as their day off, to schedule vacations so that there aren't an excess of officers off at one time, the possibility of occasionally not filing a shift, the possibility of reducing the number of Sergeant hours on Sunday and the possibility of using comp time in lieu of overtime.

Upon the recommendation of the Legislative and Ordinance Committee, Breczinski moved, Schlagel seconded, calling for a meeting of the City Charter Commission and that all members of the council submit names of possible members for the Charter Commission at the regular City Council meeting on December 20, 1982. It is the recommendation of the Legislative and Ordinance Committee that the City Charter be amended to allow for the summary publication of ordinances. All voted in favor of the motion.

A request had been received from the Library Board of the Marshall Lyon County Library in regard to the changing of the term of the members of the Library Board from June 1st of each year to January 1st of each year. It was the general consensus of the council that this be discussed in more detail with representatives of the Lyon County Board of Commissioners at the regular City Council meeting to be held on Monday, December 20, 1982.

A discussion was held on the ordinance prohibiting the parking of detached semi trailers in city parking lots. It was the general consensus of the council that Mr. Lowell McDaniel be given until June 1, 1983 to find a new location to park his detached semi trailers.

Upon the recommendation of the Legislative and Ordinance Committee it was the general consensus of the council to deny the request for the ordinance establishing certain loading zones.

Upon the recommendation of the Legislative and Ordinance Committee the request to restrict parking between the hours of 4 o'clock A.M. and 9 o'clock A.M. on Lyon Street in front of the Presbyterian Church and the Methodist Church, it was the general consensus of the council that this be denied.

Breczinski moved, Ritter seconded, the request for a consumption and display license for Earth II be placed on the agenda at this time. This request is prior to the approval of the State. All voted in favor of the motion.

Breczinski moved, Ritter seconded, the approval of a consumption and display license for Earth II effective December 15, 1982 at a pro-rated fee and upon approval of the State Liquor Control Commission. All voted in favor of the motion.

A discussion was held at this time on the establishment of a reserve financing system and a commercial rehabilitation program for the City of Marshall. Items that were discussed were: the retainer fee, a fee schedule, a time table for when events are to take place, who the underwriter would be, and various policies and committees for this type of program. It was the general consensus of the council that they proceed with this program.

Schlagel moved, Ritter seconded, the following transfers be approved as per budget. All voted in favor of the motion.

	FROM	TO	AMOUNT
St. Dept.	101-53-002-720	602-35-000-500 (Res. 491	
		SAS 1981B)	\$ 1,829.52
Park Maint.	101-59-006-530	561-35-000-500 (Res. 464	
		BA 1982A)	1,724.55
Park Maint.	101-59-006-530	561-35-000-500 (Res 464	
		BA 1981A)	1,208.96
Park Maint.	101-59-006-530	561-35-000-500 (Res 465	
		CG 1981A)	1,345.99
Park Maint.	101-59-006-530	561-35-000-500 (Res 466	
		SG-GB 1981A)	1,104.12
Park Maint.	101-59-006-530	561-35-000-500 (Res 468	
		W 1981A	8,545.60

REGULAR MEETING - DECEMBER 6, 1982 (CONT'D.)

	FROM	TO	AMOUNT
Park Maint.	101-59-006-530	561-35-000-500 (Res 469 MSA 139-123-01-CG)	\$ 6,145.30
Park Maint.	101-59-006-530	561-35-000-500 (Res 469 MSA 139-123-01-SG)	1,853.60
Park Maint.	101-59-006-530	561-35-000-500 (Res 469 MSA 139-123-01-BS)	7,268.76
Park Maint.	101-59-006-530	561-35-000-500 (Res 469 MSA 139-123-010GB)	4,210.32
Park Maint.	101-59-006-530	561-35-000-500 (Res 470 MSA 139-123-01-ST5)	8,292.57
Parking	652-95-002-710	101-39-000-104 (Parking Lot Maint)	14,565.00
Rev. Sharing	201-80-001-840	101-32-000-701 (Dutch Elm)	10,000.00
Liquor Fund	609-94-001-710	101-39-000-103 (Annual Transfer)	143,053.99

Breczinski moved, Schlagel seconded, and it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE FUND, Voucher No. 589 through 806.

The following building permits and mobile home permits previously approved by the City Engineer were confirmed:

Leo DeVos
128 West Main Street
Original Plat, Block 2, Lot 6 - 9
Projecting Sign
\$1,390

Ag Service Center
1400 East Lyon Street
Section 10, Part of NE $\frac{1}{4}$
Free standing sign
\$0

A.E.F.S. Inc.
800 East Southview Drive
Section 9, Part of NE $\frac{1}{4}$ of SE $\frac{1}{4}$
Partition in office area
\$2,500

Deutz & Hess Masonry Contractors
412 West Main Street
Original Plat, Block 8, Lot 18
and SE $\frac{1}{2}$ of 17
Remodel 2 front windows, \$1,800

New Thresholds of Faith
225 West Main Street
Original Plat, Block 3, Part of Lot 11 & 12
Flat business sign & interior partitions
\$650

Ray J. Henle
803 Cheryl Avenue
First Add., to Eatros Place, Block 1, Lot 1
Deck
\$700

David Krotzer/Larson & DePyper
1506 Westwood Drive
Westwood Acres I, Block 1, Lot 5
Enclosed Patio
\$12,000

Virgil & Darlene Deutz
600 Paul Street
Country Club Add., Outlot 5, Lot 7
Dwelling
\$30,000

A & D Midwest Builders Inc.
1002 Silvervine Drive
Southview Second Subdv., Block 3, Lot 4
Dwelling
\$40,000

Mel Besse Const.
1100 Alan Street
4th Add., to Eatros Place, Block 2, Lot 12
Install fireplace
\$1,000

Robert Palma
408 North High Street
Riverside Add., Block 3, Lot 4
Remodel bedroom & living room
\$1,000

Dr. Gustav J. Varga
230 West Lyon Street
Original Plat, Block 14, Lot 6, 7 and
NW $\frac{1}{2}$ of 8
Remodel second floor office, \$3,500

McLaughlin & Schulz Inc.
705 North 7th Street
Section 4, Part of NW $\frac{1}{4}$
Office
\$2,000

Schwan's Sales Enterprises Inc.
West College Drive/Depot Street
Marshall Right of Way, Block 4, Lot 1
Demolition of C.N.W.R.R. Depot
\$0

D & G Excavating
107 Walker Lane
Section 4, Part of SE $\frac{1}{4}$
Demolish Dwelling
\$0

S & C Construction
1701 East College Drive
Section 2, Part of NW $\frac{1}{4}$
Free standing sign
\$0

Russell H. Wulff
318 Timberlane Drive
Install mobile home

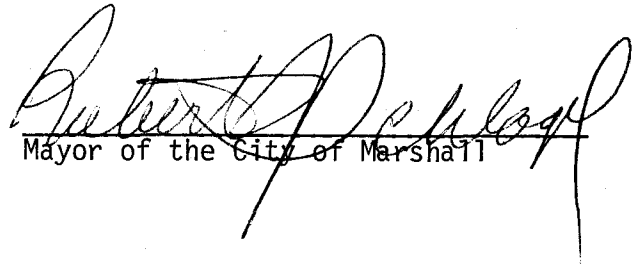
REGULAR MEETING - DECEMBER 6, 1982 (CONT'D.)

There were some questions raised in regard to the gambling that is taken place at the Gambler.

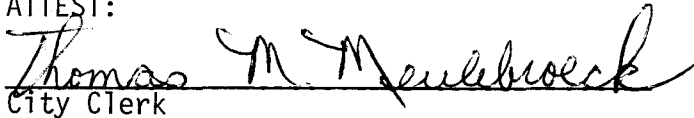
Schlagel moved, Ritter seconded, certification by the Police Commission of three applicants for a Police Officer position vacancy due to the resignation of Tim Oakley be placed on the agenda. All voted in favor of the motion.

Purrington moved, Ritter seconded, the Police Commission be authorized to certify 3 names to the City Council for the police officer position vacated by the resignation of Tim Oakley. All voted in favor of the motion.

Upon motion made by Schlagel, seconded by Ritter, the meeting was adjourned. All voted aye.


Mayor of the City of Marshall

ATTEST:


City Clerk

REGULAR MEETING - DECEMBER 20, 1982

The regular meeting of the Common Council of the City of Marshall was held on December 20, 1982. The meeting was called to order at 7:30 P.M. by Mayor Schlagel. In addition to the mayor the following members were present: Ritter, Purrington, Breczinski, Holmes and Kirchner. Absent: Rogalski.

Kirchner moved, Ritter seconded, the approval of the minutes of the regular meeting of the Common Council held on Monday, December 6, 1982 as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

Mr. Lon Meyer, insurance agent for the City of Marshall, presented to the city a dividend check in the amount of \$2,993.83 for the City of Marshall property and casualty program which is maintained with the League of Minnesota Insurance Trust. This dividend is approximately 10% of the earned premium for the year ended May 31, 1981.

Purrington moved, Schlagel seconded, a public hearing on the assessment for the City's cost of removing weeds and debris at 310 Lawrence be placed on the agenda at this time. All voted in favor of the motion.

Purrington moved, Schlagel seconded, the adoption of RESOLUTION NUMBER 590, SECOND SERIES and that the reading of the same be waived. Resolution Number 590, Second Series is a resolution adopting the assessment for the City's cost of weed and debris removal at 310 Lawrence Street. The assessment of \$45.00 is to be placed on the tax roll for this parcel of property. All voted in favor of the motion.

Bids were received, opened and read at this time for the Type III Ambulance for the Marshall Ambulance Department. Mr. Duane Aden, City Engineer, asked if there were any additional bids to be received. There were no additional bids, received, therefore the bids were closed at this time. The bids received, opened and read were from:

Cayel Craft Inc.
Rock Rapids, Iowa
Base Bid \$43,896

Southwest Ford Lincoln Mercury
Marshall, Minnesota
\$38,169

Foreman Sales & Service
Miller, South Dakota
\$41,335.00

Road Rescue, Inc.
St. Paul, Minnesota
Base Bid \$47,975
Base Bid "B" \$46,495 for 1982 Ford
Alternate Bid "C" \$41,900 for 1982
Demo

Michigan First Response
Fenwick, Michigan
Base Bid \$43,325
Alternate Bid \$47,252

REGULAR MEETING - DECEMBER 20, 1982 (CONT'D.)

M & M Sales Division
Minneapolis, Minnesota
Base Bid \$43,875
Alternate Bid \$47,375

Schlagel moved, Breczinski seconded, the bids received, opened and read for for the Type III Ambulance for the Marshall Ambulance Department be referred to the City Engineer Duane Aden and Ambulance Coordinator Craig Lambert for their review. All voted in favor of the motion.

Upon the recommendation of the Legislative and Ordinance Committee, Purrington moved, Breczinski seconded, the introduction of an ordinance amending certain sections of the City Code, Chapter 2 regarding the terms of the Library Board Members in the City of Marshall, Minnesota. This ordinance provides for the terms for the Library Board Members be amended to expire on December 31, beginning in 1983 and appointments be made for 3 years beginning on January 1, 1984. All voted in favor of the motion.

Purrington moved, Breczinski seconded, the joint agreement between the Lyon County Board of Commissioners, the City of Marshall and the Marshall Lyon County Library Board be amended to allow for the members of the Marshall Lyon County Library Board to be appointed for 3 year terms beginning January 1st of each year and to expire on December 31st of the year in which the term shall end. All voted in favor of the motion.

Mr. Duane Aden, City Engineer, reviewed with the council the viewers report on the Improvement A of Judicial Ditch No. 6 in Lyon County and reviewed the benefits to the property within the corporate limits of the City of Marshall. It was the general consensus of the council to receive this report and that the cost of this improvement be included in the 1983 improvement projects and that the affected property owners be assessed a portion based on the benefit to their property.

Upon the recommendation of the Planning Commission, Ritter moved, Holmes seconded, a conditional use permit for the American Energy Farming System Inc., be approved to allow for the construction of a 80' high wind machine to be constructed at 800 East Southview Drive and also at 1701 East College Drive. Mr. Gary Gould from America Energy Farming Systems Inc., was in attendance at the meeting and indicated to the council members that it is their intent that this wind generating machine will only supplement their energy demands at these facilities and that they do not have an intent to expand beyond this point. All voted in favor of the motion.

County Engineer Tom Behm and County Commissioners George Davis, Paul Knoblauch and Ted Lindberg were in attendance at the meeting to update the council on the plans for the overpass and county road connection between North 7th Street and Highway 23, and to request the City Council for funds to assist with the improvement of this overpass and road connection. Mr. Behm indicated that there were available County State Aid Funds in the amount of \$1,026,000 that could possible be used for the construction of this road and that they anticipate the total cost of this project will be \$1,040,000. If the county were to use all available state aid funds for this road there would be no available funds for any other roads within the county. Mr. Behm indicated that it is their intent to let bids for the bridge construction in May of 1983 and are hoping that the construction will be completed by September 1, 1983. Mr. Behm and County Commissioners were informed by the council that $\frac{1}{2}$ of the City of Marshall's State Aid Funds for the next 6 years are obligated to repay the State Aid Bonds for the Channel Parkway and that the balance of the funds are limited as to what they can be used for.

A Joint Defense Program and/or Joint Emergency Dispatching System were briefly discussed at this time. It was the general consensus that members of the council meet with members of the county to work together on trying to establish a Joint Civil Defense and/or Joint Emergency Dispatching System.

Schlagel moved, Ritter seconded, the renewal of the On-Sale Liquor Licenses effective January 1, 1983 be approved for the Chalet, Wooden Nickel, Marshall Inn, Earth II, Michael's On The Main, The Gamble, Corner Bar, American Legion and the Four Seasons. All voted in favor of the motion.

Schlagel moved, Ritter seconded, the introduction of an ordinance allowing for those establishments that maintain a liquor license to be able to purchase a wine license at \$300 per year, but those organizations who wish to have a wine license and do not have a liquor license the fee will remain at \$700. All voted in favor of the motion.

REGULAR MEETING - DECEMBER 20, 1982 (CONT'D.)

Kirchner moved, Breczinski seconded, the approval of a Motor Vehicle Towing and Storage License for Southwest Ford Lincoln Mercury Sales Inc., for the period January 1, 1983 through December 31, 1983 at a fee of \$150.00. All voted in favor of the motion.

Purrington moved, Ritter seconded, the approval of the annual Gambling Licenses for gambling devices and raffles for the Fraternal Order of Eagles AERIE 3405 and the American Legion for the year 1983 at a fee of \$10.00. All voted in favor of the motion.

Purrington moved, Kirchner seconded, the approval of a Transient Merchants License for PCA National Inc., to conduct a photography business in Marshall. All voted in favor of the motion.

Kirchner moved, Schlagel seconded, the proper city officials be authorized to advertise for bids for trash removal for the City of Marshall for the year beginning February 1, 1983. All voted in favor of the motion.

Schlagel moved, Ritter seconded, the following individuals be appointed to the Charter Commission for 2 years: Virgil Merrill, Hayward E. (Jay) Dnury, Joan Halverson, Mike Boedigheimer, Robert Lage, Barb Bushard, John Dier and Randi Kirchner, and for 4 years: Arnold Zimmerman. All voted in favor of the motion.

The City of Marshall was in receipt of a letter from Equitable Life Assurance Society informing the City of Marshall that the life insurance rate would be increasing with the period beginning March 1, 1983. The increase is approximately 3.3%. The city was also informed that dental insurance premiums effective March 1, 1983 will increase approximately 12%. Purrington moved, Kirchner seconded, these increases be referred to the Personnel Committee. All voted in favor of the motion.

The City of Marshall was also informed that the employee group health insurance for the City of Marshall with Blue Cross/Blue Shield will be increasing by 9% for the period beginning March 1, 1983. Schlagel moved, Kirchner seconded, the 9% increase in employee group health insurance with Blue Cross/Blue Shield for the City of Marshall effective March 1, 1983 be referred to the Personnel Committee. All voted in favor of the motion.

Upon the recommendation of the City of Marshall's insurance consultant Burdell Wessels, Purrington moved, Breczinski seconded, the contract for workmen's compensation insurance be renewed for the calendar year 1983 with Millard Ehlers Insurance Agency. All voted in favor of the motion.

Schlagel moved, Kirchner seconded, the proper city officials be authorized to advertise for bids for a street department truck to be received at the regular meeting held on January 3, 1983. This truck will be used in conjunction with a chassis mounted box the bids were received for at the regular meeting held on December 6, 1982. One of the existing trucks and dump bodies at the street department will be traded-in on this vehicle. Mr. Aden indicated that they will be receiving an alternative bid on this truck for a diesel. Mr. Aden also indicated that the specs for this truck include the largest available springs for the type of axle that is requested in the specs. Councilperson Ritter requested that whoever receives the bid be required to include a line setting ticket with their piece of equipment. All voted in favor of the motion.

Schlagel moved, Ritter seconded, the adoption of RESOLUTION NUMBER 591, SECOND SERIES and that the reading of the same be waived. Resolution Number 591, Second Series is a resolution authorizing the proper city officials to enter into an agreement with the Commissioner of the Minnesota Department of Transportation allowing them to act as an agent in accepting Federal Aid Funds on the City's behalf for road and bridge construction. All voted in favor of the motion.

Upon the recommendation of the Director of Public Safety and the City Administrator, Schlagel moved, Holmes seconded, Ms. Ramona Paluch be employed as a Police Officer for the City of Marshall at a rate of \$8.40 per hour or \$1,456 per month effective January 3, 1983. The following resolution was adopted: BE IT RESOLVED that Ramona Paluch be duly appointed qualified and acting full time police officer for the City of Marshall, Minnesota possessing the powers of arrest by warrant and otherwise and other authority generally conferred upon and possessed by the Municipal Police Officers in Minnesota with specific duty of enforcing the laws of the State of Minnesota and the ordinances of the City of Marshall in apprehending violators thereof and engaging in the hazards of protecting the safety and property of others. All voted in favor of the motion.