

REGULAR MEETING - JANUARY 2, 1996

The regular meeting of the Common Council of the City of Marshall was held on January 2, 1996. The meeting was called to order at 7:30 p.m. by Mayor Byrnes in the Council Chambers of the Marshall Municipal Building. In addition to Byrnes, the following members were present: Robley, Doyle, Edblom, Roggeman, Stores and Boedigheimer. Absent: None.

The Pledge of Allegiance was recited at this time.

City Administrator Mike Johnson took this opportunity to welcome the newly hired City Engineer/Public Works Director Keith Nelson.

It was the general consensus of the Council that the agenda be approved as presented.

Robley moved, Roggeman seconded, that the minutes of the regular meeting held on December 18, 1995 and the minutes of the special meeting held on December 27, 1995 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

This was the date and time set for a public hearing to consider the modification by the Housing and Redevelopment Authority in and for the City of Marshall of the Modified Redevelopment Plan for Redevelopment Project No. 1 and the Modified Tax Increment Financing Plans for the Tax Increment Financing Districts No. 1-1 through 1-10 to reflect an enlargement of the project area and increase project costs.

Calvin Barnett City Assessor was called upon to address the public hearing and to explain the project. Mr. Barnett indicated that the modification to the Redevelopment Plans provides for an increase in the budget of \$715,000. The modification is to provide for an upgrade to North 7th Street from Lyon County Highway #33 to the area near the compost site. The City Council was advised that the executive committee of the Marshall Industries Foundation as well as the Economic Development Authority have approved the change in the redevelopment plan. With no questions or concerns brought forth at the public hearing, Robley moved, Doyle seconded, the public hearing be closed. All voted in favor of the motion.

Robley moved, Edblom seconded, the adoption of RESOLUTION NUMBER 1877, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1877, Second Series, is a resolution relating to the modification by the Housing and Redevelopment Authority in and for the City of Marshall of the Modified Redevelopment Plan for Redevelopment Project No. 1 and the Modified Tax Increment Financing Plans for Tax Increment Financing Districts No. 1-1 through 1-10, all located therein, to reflect an enlargement of the project area and increased project costs. All voted in favor of the motion.

Edblom moved, Doyle seconded, the adoption of ORDINANCE NUMBER 349, SECOND SERIES, and that the reading of the same be waived. Ordinance Number 349, Second Series, is an ordinance amending parts of Section 12.01 of the City Code of the City of Marshall, Minnesota which

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provides exceptions for the requirement of compliance with the subdivision ordinance. All voted in favor of the motion.

Per the request of the Chamber of Commerce, Robley moved, Stores seconded, that the discussion in regard to a proposed policy for the City prosecution of returned checks be tabled to the January 16, 1996 City Council meeting. All voted in favor of the motion.

Robley moved, Edblom seconded, the amendment to the State Aid Agreement with Mn/DOT to provide cost sharing in the purchase of a new Unicom radio for the snowblower at the Marshall Municipal Airport be approved. This amendment provides for the City to be reimbursed from the State of Minnesota two-thirds of the cost of the new Unicom radio which was installed in the used snowblower that was purchased for the Marshall Municipal Airport. All voted in favor of the motion.

Doyle moved, Roggeman seconded, the adoption of RESOLUTION NUMBER 1878, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1878, Second Series, is a resolution designating the Marshall Independent as the official newspaper for the City of Marshall. All voted in favor of the motion.

Boedigheimer moved, Roggeman seconded, the adoption of RESOLUTION NUMBER 1879, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1879, Second Series, is a resolution appointing the official depositories for the City funds for 1996. This resolution was amended to include the United Southwest Bank, First Independent Bank and the Minnesota Valley Bank, Marshall Office. All voted in favor of the motion.

Edblom moved, Roggeman seconded, the approval of an on-sale non-intoxicating beer license for the Pizza Hut for the year 1996 at a fee of \$150. All voted in favor of the motion.

Roggeman moved, Edblom seconded, the approval of an off-sale non-intoxicating beer license for Freedom Value Center for 1996 at a fee of \$50. All voted in favor of the motion.

Roggeman moved, Edblom seconded, the approval of tobacco license for the Freedom Value Center for 1996 at a fee of \$48. All voted in favor of the motion.

Doyle moved, Edblom seconded, BE IT RESOLVED, that the proper City personnel be authorized to advise the State of Minnesota Charitable Gambling Control Board that they have approved the application for Minnesota Lawful Gambling Premises Permit for Celebrity Bowl Charities Mankato for use at the Marshall Bowl, 1417 East College Drive, Marshall, Minnesota. All voted in favor of the motion.

Doyle moved, Robley seconded, Tracy Veglahn be appointed to the Marshall - Lyon County Library Board for a term to expire December 31, 1997 and that Stacy Ball and David Poplau be

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appointed to the Marshall - Lyon County Library Board for terms to expire on December 31, 1998.
All voted in favor of the motion.

Per the recommendation of Melinda Buss, Interim Emergency Medical Services Director, Edblom moved, Stores seconded, the proper city personnel be authorized to write-off uncollectible receivables for the ambulance charges in the amount of \$16,782.98. All voted in favor of the motion.

Mayor Byrnes made the following appointments to the City Council committees and liaisons to the boards and commissions:

President Pro-Tem - Maureen Stores

Personnel Committee

Larry Robley
Gene Roggeman
Maureen Stores

Legislative & Ordinance Committee

Larry Robley
Don Edblom
Mike Boedigheimer

Ways & Means Committee

John Doyle
Maureen Stores
Mike Boedigheimer

Public Improvement Committee/

Transportation Committee

Don Edblom
John Doyle
Gene Roggeman

Airport Commission - Mike Boedigheimer
Cable Television Commission - Don Edblom
Community Services Advisory Board - Gene Roggeman
Economic Development Authority - Bob Byrnes, John Doyle
Hospital Board - Maureen Stores
Housing Commission - Gene Roggeman
Human Rights Commission - Mike Boedigheimer
Insurance Advisory Commission - John Doyle
Library Board - John Doyle
Planning Commission - Gene Roggeman
Senior Citizen Center Commission - Mike Boedigheimer
Utilities Commission - Don Edblom
Marshall Celebrate 1997 - 125th Anniv - Maureen Stores
Fire Department - Larry Robley
Regional Development Commission - Bob Byrnes
Convention & Visitors Bureau - Don Edblom
Lyon County Ice Facility Board - Maureen Stores, Larry Robley, Gene Roggeman
City Council-County Board/Library Agreement & Operations - Maureen Stores, John Doyle
Lyon County Enterprise Development - Larry Robley
Joint Law Enforcement - Larry Robley, Mike Boedigheimer

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Reports by the Mayor and Councilmembers of the various committees, commissions and boards were presented at this time:

Byrnes	No report.
Roggeman	No report.
Stores	Requested the personnel committee to meet to address the Drug and Alcohol Policy and the Affirmative Action Plan. Stores also indicated that January 23, 1996 at 4:00 is the next scheduled Quarterly Personnel Committee Meeting.
Edblom	<u>Convention and Visitors Bureau</u> - has had a change in officers and they have discussed the Minnesota Bike TRAM which will be in Marshall on Monday, July 22, 1996. The Ride Across Minnesota is a fundraiser sponsored by the Multiple Sclerosis Society. <u>Municipal Utilities Commission</u> - authorization was granted to receive proposals for a second study or opinion on the water plant. They have submitted the Water Conservation Plan to the DNR. They are refining the budget and have started the evaluation on the manager of the Municipal Utilities.
Boedigheimer	No reports.
Robley	No reports.
Doyle	<u>Marshall - Lyon County Library</u> - a new SAMMIE Director has been hired and this person does live in the city of Marshall. Mr. Doyle was also appreciative that the Library Board now has a complete board to operate with.

Other items brought forth by the Mayor and Council included:

The indication that the Charter Commission will be considering six proposed ordinances.

A concern was expressed in regard to the parking along Boxelder Street and the possibility of the parking being restricted to one side. Director of Public Safety Marvin Bahn did indicate that the officers within his department are continuing to monitor the cars along the street for the movement and ticketing any snowbirds.

The Celebrate Marshall Committee is concerned with buildings in the downtown area and if they are not being used they are boarded up and the possibility of the Legislative and Ordinance Committee addressing this issue.

A concern was expressed in regard to those establishments that do have a tobacco license and

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how easy it is for under age individuals to purchase cigarettes. Director of Public Safety Marvin Bahn did indicate that officers within his department would follow up with this concern by contacting or visiting to the various establishments that have a tobacco license.

Councilmember Stores did briefly discuss with the Council a program called Southwest LEAP which consists of five counties and is primarily made up of elected officials. Staff members Marvin Bahn and Harry Weilage are involved with this program. This program has addressed cultural diversity and it was indicated that Southwest State University is very involved with this program. Recently a program was held which Dr. Amato facilitated it and addressed minority issues.

A special City Council meeting has been scheduled for January 22, 1996 to address the projects as they relate to the Public Works Department/Engineering Department.

Doyle moved, Edblom seconded, and it was unanimously approved that the following bills and contract payments be authorized: ACCOUNTS PAYABLE VOUCHER #64534 through 64699.

The following building permits previously approved by the building official were approved:

Minnesota Corn Processors
1800 North 7th Street
Wastewater Treatment Facility
\$320,000

Ray Henriksen
202 East Saratoga
Garage
\$10,000

Brownlee & Hayes, Inc.
905 Channel Parkway
Warehouse
\$8,000

Scott and Staci Saugstad
301 Elaine Avenue
Dwelling
\$95,100

Upon motion made by Roggeman, seconded by Edblom, the meeting was adjourned. All voted aye.



Mayor of the City of Marshall, MN

ATTEST:



Finance Director/City Council

REGULAR MEETING - JANUARY 16, 1996

The regular meeting of the Common Council of the City of Marshall was held on January 16, 1996. The meeting was called to order at 7:30 p.m. by Mayor Byrnes in the Council Chambers of the Marshall Municipal Building. In addition to Byrnes, the following members were present: Robley, Doyle, Edblom, Roggeman, Boedigheimer and Stores. Absent: None.

The Pledge of Allegiance was recited at this time.

It was the general consensus of the Council that the agenda be approved as presented.

Robley moved, Edblom seconded, that the minutes of the regular meeting held on January 2, 1996 be approved 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 in regard to the City of Marshall's policy on the prosecution of return checks. This policy had been discussed at the previous meeting and was tabled from the January 2, 1996 City Council meeting to this meeting to allow the Marshall Area Chamber of Commerce to review the policy and provide the City Council with their recommendation. Paul Stoneberg on behalf of the Chamber of Commerce was in attendance at the meeting and was recommending to the City Council that the City of Marshall's policy to prosecute misdemeanor bad checks over \$25 remain in place but there be a provision incorporated in the policy that allows for this prosecution once these checks have been placed with a collection agency for seventy days. Mr. Stoneberg was also suggesting that the court system be encouraged to impose a fee to be paid for the City for its efforts in collecting these return checks. City Attorney Brian Murphy indicated that it cost approximately \$10 for the City of Marshall Police Department to process a return check and approximately \$20 additional for the City Attorney's Office to prosecute a return check. Mr. Murphy indicated that of the 200 non-sufficient fund checks that are processed through his office 140 of these are from two businesses. The remaining 60 non-sufficient fund checks are from approximately 18 other businesses. Mr. Murphy was concerned with the fact that some businesses are using private collection agencies to assist them in collecting return checks and the remaining 60 non-sufficient fund checks that are processed through his office are from approximately 18 other businesses. Mr. Murphy also indicated that one of the collection agencies was not interested in the 70 day policy for checks to be processed with them and then processed through the City Attorney's Office. Robert Almich from the County Market was in attendance at the meeting and did indicate that they would begin using a collection agency for return checks but did request that criminal charges be imposed on persons violating the law.

Boedigheimer moved, Stores seconded, the City of Marshall's policy for the prosecution of return checks remain as is and that is that the City Attorney will prosecute misdemeanor bad checks over \$25 once these checks have been processed with a collection agency for 70 days and

that it is the understanding that this would be in effect for one year. All voted in favor of the motion.

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At the regular meeting of the Planning Commission held on January 10, 1996, they denied the request of Independent Lumber for a Variance Adjustment Permit to construct an eave on the front of a dwelling being constructed at 801 South First Street that extends 8 feet into the front in lieu of the 4 feet 6 inches as permitted by zoning ordinance since an undue hardship was not shown and the construction is not consistent with the neighborhood. Don Klein from Independent Lumber was in attendance at the meeting and was requesting a 6 foot overhang rather than a 4 foot 6 inches as permitted by zoning ordinance. Roggeman moved, Edblom seconded, that since there is a change in the request of 6 feet rather than the 8 foot that this Variance Adjustment Permit be referred back to the Planning Commission for further review. Voting in favor of the motion was Edblom, all other members voted no.

Robley moved, Boedigheimer seconded, a Variance Adjustment Permit be granted to Independent Lumber at 801 South First Street to construct an eave on the front of a dwelling being constructed at 801 South First Street 6 feet into the front yard in lieu of the 4 feet 6 inches as permitted by zoning ordinance. The proper City personnel were requested to advise the Planning Commission of their varying from the recommendation because of the timing if this were to go back through the Planning Commission, the desire to complete the construction of the home and the potential of error on both parties. All voted in favor of the motion.

Greg Sherman, Manager of the Marshall Municipal Utilities, was in attendance at the meeting to discuss with the City Council a twenty year contract extension with the Western Area Power Administration for firm electric service through December 31, 2020. This contract has been approved by the Marshall Municipal Utilities Commission. Edblom moved, Roggeman seconded, the proper City personnel be authorized to execute a Power Supply Contract with Western Area Power Administration for the Marshall Municipal Utilities to receive a firm electric service through December 31, 2020. All voted in favor of the motion.

Kurt Keena from the City of Marshall Public Housing Commission and Rick Goodman from the Southwest Minnesota Housing Partnership were in attendance at the meeting to inform the City Council of the development of a housing development plan and to update the Council on the progress made to date on its implementation and to also request authorization from the City Council to submit an application to the Small Cities Development Program in conjunction with the Housing Development Plan. Mr. Keena indicated that the Housing Development Plan has three broad goals in relation to the housing in Marshall. These goals are to preserve existing housing stock, to increase affordability and availability of financing for housing and to increase the supply of affordable housing in Marshall. The application to the Small Cities Development Program would be in the amount of \$600,000. This program would make available money to low to moderate homeowners and renters for the rehabilitation of their housing. The Southwest Minnesota Housing Partnership is willing to write the application for a fee of \$3,500 which would include one free re-write if no funding is received in the first year of application. If the funding is secured an additional \$10,000 may be requested to support the activities of the program. Stores moved, Doyle seconded, authorization be granted to submit an application to the Small Cities Development Program in conjunction with the Housing and Redevelopment Plan at a fee of

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\$3,500 and that there be a transfer from the Mayor and Council Contingency Account Number 101-401401-6810 to Account Number 101-401401-3302 for this fee. All voted in favor of the motion except Robley who abstained.

Roggeman moved, Doyle seconded, the proper City personnel be authorized to execute a contract with the Marshall Area Senior Citizens Inc. to allow for the operations of the Senior Center and for the Marshall Area Senior Citizens Inc. to pay to the City \$550 per month for rent and also that an agreement be executed between the City of Marshall, Western Community Action Inc. and the Southwest Area Agency on Aging allowing for the City of Marshall to be reimbursed 4 cents per meal for all hot meals prepared in the Marshall Senior Center for the Marshall Senior Dining and Home Delivered Meals Program. All voted in favor of the motion.

Robley moved, Boedigheimer seconded, the proper City personnel be authorized to execute the Law Enforcement Center Joint Powers Agreement as drafted by the Joint Law Enforcement Center Committee. This agreement is between the City of Marshall and the County of Lyon. This agreement provides for the combining of the physical location of the Lyon County Sheriff's Department and the Marshall Department of Public Safety into a single structure. This agreement also provides for the rights and responsibilities of each party in respect to the design, construction, payment for staffing, maintenance and operation of a combined law enforcement facility. In continuing with this process it was suggested that the City Council keep in mind the original intent of this merger and that was to save dollars. This agreement was approved on January 16, 1996 by the Lyon County Commissioners. All voted in favor of the motion.

Upon the recommendation of the Marshall Cable Commission, Edblom moved, Roggeman seconded, the adoption of RESOLUTION NUMBER 1880, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1880, Second Series, is a resolution ordering a 90 day extension as part of the cable rate regulation review. This resolution would enable the City of Marshall to take up to 120 days from the date of receipt of the materials from Bresnan before a final decision would need to be made on the proposed rate changes. All voted in favor of the motion.

Mayor Byrnes called for a five minute recess at 9:00 p.m.

At the request of Schwan's Sales Enterprises, City Attorney Brian Murphy provided to the City Council an ordinance providing for the trading of land between the City of Marshall and Schwan's Sales Enterprises. All of the land that is being requested to be traded is part of the South "A" Street wherein the new road was constructed and part of the land to the West of "A" Street which is owned by Schwan's Sales Enterprises. Following a review of the trade of real estate, Stores moved, Doyle seconded, the introduction of an ordinance providing for the trade of real estate owned by the City of Marshall, Minnesota and the forfeiting of a parcel property to the State of Minnesota. All voted in favor of the motion.

Per the information provided to the City of Marshall from Tracie Stephens, Paralegal for

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Quarnstrom, Doering, Pederson, Leary, Murphy, P.A. law offices in regard to George Vedder from the North Central League/Marshall Mallards filing bankruptcy, Roggeman moved, Edblom seconded, the receivable amount of \$5,564.12 be written off as uncollectible. This \$5,564.12 is \$3,876.45 for the stadium lease and \$1,687.67 police services. All voted in favor of the motion.

Edblom moved, Roggeman seconded, the approval of a tobacco license for Mike's Cafe, 203 East College Drive, for the calendar year 1996 at a fee of \$48. All voted in favor of the motion.

Roggeman moved, Edblom seconded, BE IT RESOLVED, that the proper City personnel be authorized to advise the State of Minnesota Charitable Gambling Control Board that they have approved the application for Minnesota Lawful Gambling Premises Permit for the Marshall Amateur Hockey Association for use at the Wooden Nickel, 448 West Main Street, Marshall, Minnesota. All voted in favor of the motion.

Edblom moved, Roggeman seconded, the approval of a transient merchants license for WVS Marketing Inc. to sell the hometown super saver card. This license is for the calendar year 1996 at a fee of \$250. All voted in favor of the motion.

Reports by the Mayor and Councilmembers of the various committees, commissions and boards were presented at this time:

- | | |
|----------|--|
| Byrnes | <u>EDA</u> - the housing issues addressed were previously discussed at this meeting and discussion was held on the current status of the TIF Districts. <u>Regional Development Commission</u> - is negotiating with the City of Slayton for a new facility. |
| Roggeman | <u>Ice Facility</u> - they did not have a quorum for its meeting but they did discuss the utilizing of the grant money to be received from the Mighty Ducks for problems they have with the compressor at the ice facility. <u>Planning Commission</u> - the actions at this committee meeting were discussed previously at this meeting. <u>Community Services</u> - in conjunction with the Comprehensive Plan for the City of Marshall four public hearings will be held to address the human resource aspect. These public hearings are scheduled for January 29, 1996 on Children, Youth and Families, February 26, 1996 on Quality of Life, March 25, 1996 on Economic Development and April 22, 1996 on Regionalization and or Collaboration. <u>Housing Commission</u> - the items discussed at this committee meeting were previously addressed at this City Council meeting. |
| Stores | <u>Ways and Means Committee</u> - a meeting needs to be set. <u>Marshall Celebrates Committee</u> - has committed to Bobby Vee coming to the City of |

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Marshall on June 14, 1997. The fundraising for this committee is going well but more help is needed to do the research on the City of Marshall.

Edblom

Cable Commission - the City Council did address a resolution discussed at this committee meeting and it was indicated that in the future the City could be receiving an additional 50 channels through the cable system. Utility Commission - a sexual harassment session was held for its employees. They did have an electric rate hearing on January 16, 1996 and the increases that were approved effective on the March 5, 1996 billing were a 5 percent increase in residential rates and a 6.5 percent increase in industrial rates.

Boedigheimer

Human Rights - is considering a meeting with representatives for the Marshall High School to provide awareness to them in regard to Human Rights. Airport Commission - a public hearing on a comprehensive plan for the airport was discussed. Senior Commission - did not have a quorum but it was indicated that Oriette Schultz has been appointed to this committee to replace Dulas Paxton.

Robley

Fire Department - will meet in two weeks.

Doyle

Library Board - The new Sammie Director was in attendance at their meeting.

Other items of concern brought forth by the Mayor and Councilmembers were: in regard to the TRAM event, which will be coming through Marshall this summer are there local representatives involved with this event; the City responding to a letter received from John Feda in regard to the utilizing of TIF Funds; the status of the joint meeting between the City Council and County Commissions; and the requesting of two Councilmembers being involved with each of the public hearings to be held with the Community Services on the Comprehensive Plan.

Doyle moved, Edblom seconded, and it was unanimously approved that the following bills and contract payments: ACCOUNTS PAYABLE VOUCHER # 64700 through #64900 be authorized for payment as well as that the payment for the Lyon County Ice Facility in the amount of \$35,200 and Lyon County Auditor for \$27,465.15 for the County Ditch #62 work that has been done.

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The following building permits previously approved by the Building Official were confirmed:

Sussner Construction
703 West Fairview Street
Remodel
\$5,000

Brownlee & Hayes, Inc.
905 Channel Parkway
Storage Room Remodeling
\$2,400

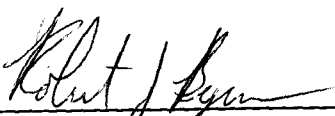
Donald Calvin
601 South 1st Street
Reside and Window Replacement
\$11,000

Mark Mather
504 Charles Avenue
E/R Window
\$500

Morton Buildings, Inc.
707 West Fairview Street
Storage Room
\$18,000


City Administrator Mike Johnson reviewed with the Council the proposed Minnesota Department of Transportation projects and also the summary of the 1995 building permits. Mr. Johnson indicated that there is potential for the signal lights to be placed at the intersection of Southview and Main Street in the late summer of 1996 and that the Lyon County Board of Commissioners also approved a petition on Ditch #62 and agreed to hire Boulton and Menk as the engineering consultants for this project.

Upon motion made by Roggeman, seconded by Doyle, the meeting was adjourned. All voted aye.



Mayor of the City of Marshall, Minnesota

ATTEST:



City Clerk/Finance Director

SPECIAL MEETING - JANUARY 22, 1996

A special meeting of the Common Council of the City of Marshall was held on January 22, 1996 in the Cottonwood Room of the Marshall Municipal Building. The meeting was called to order at 7:00 p.m. by Mayor Byrnes. In addition to Byrnes, the following members were present: Doyle, Edblom, Roggeman, Boedigheimer and Stores. Absent: Robley.

City Staff in attendance at this meeting were: Mike Johnson - City Administrator, Keith Nelson - City Engineer, Kim Jergenson - Sr. Engineering Tech, Dave Frey - Wastewater Treatment Plant Superintendent and Tom Meulebroeck - Finance Director/City Clerk.

The purpose of this special meeting was to review the engineering and public works projects and to establish their priorities.

Keith Nelson, Public Works Director/City Engineer, reviewed with the City Council 20 projects that are proposed to be completed:

Project	Cost	Funding	Priority	Time Frame
1. Birch Street	\$400,000	State Aid/Assess	High (2)	1996
2. Forth Street South	\$325,000	State Aid/Assess	Med (5)	1996-1997
* 3. Ditch 62	\$2.2 million	FEMA/State/City	High	1996
4. Sixth St. North		San/Assess/Water	Med (3)	1997
5. Main St. San. Sewer	\$500,000	Sanitary	High (4)	1996-1997
6. Hill St. - S. Storm Sewer		Assess	Low (6)	1997
* 7. Flood Control	\$1.8 million	Fed/City	High	
8. St. Overlay & Sealcoats	\$125-150,000	General Fund	High	1996
9. Lyon St. East	\$70,000	Street Aid	Low	
10. Lyon & Redwood St. Storm Sewer		Assess	Low	
* 11. GIS/Storm Water Util.		Billing	High (1)	
12. Sidewalk		Assess	Low	
* 13. San. Trunk Main	\$600,000	Sanitary	High	1996
* 14. WWT Sludge Storage	\$15,000	Sanitary	Med	1996-1997
* 15. WWT Primary/Secondary Clarifiers	\$56,500	Sanitary	High	1996
16. a) WWT Roofing	\$41,500	Sanitary	High	1996
b) Fire Hall	\$57,000	General	High	1996
* 17. San. Sewer Study	\$50,000	Sanitary	Med	1996
18. Comm Services	\$90,000	City Grants AAU	High	1996
* 19. Airport	\$1.5 to 2.3 million	Fed/State	High	1996
* 20. Traffic Signals	\$50,000	State Aid Access	High	1996

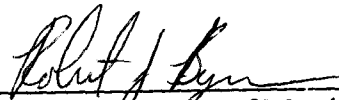
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Notes:

The projects that are listed above with the asterisks noted by them are projects in which consultants outside of the City of Marshall will be utilized to perform the engineering requirements for them.

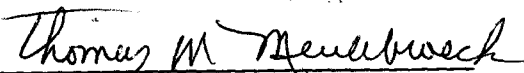
In the priority column, those projects identified as 1 through 6 are the six priorities for the City of Marshall's Public Works/Engineering Department to devote their time to. These projects will be reviewed with the City Engineers staff.

With no further business brought before the meeting, the meeting was adjourned at 9:15 p.m.



Mayor of the City of Marshall, Minnesota

ATTEST:



Finance Director/City Clerk

REGULAR MEETING - FEBRUARY 5, 1996

The regular meeting of the Common Council of the City of Marshall was held on February 5, 1996. The meeting was called to order at 7:30 p.m. by Mayor Byrnes in the Council Chambers of the Marshall Municipal Building. In addition to Byrnes, the following members were present: Robley, Doyle, Edblom, Boedigheimer and Stores. Absent: Roggeman.

The Pledge of Allegiance was recited at this time.

It was the general consensus of the City Council that the agenda be approved as presented.

Doyle moved, Edblom seconded, that the minutes of the regular meeting held on January 16, 1996 and the minutes of the special meeting of January 22, 1996 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

Robley moved, Edblom seconded, the adoption of ORDINANCE NUMBER 350, SECOND SERIES, and that the reading of the same be waived. Ordinance Number 350, Second Series is an ordinance providing for the trading of real estate owned by the City of Marshall, Minnesota. This ordinance provides for the trading of land between the City of Marshall and Schwan's Sales Enterprises for property along South "A" Street and also provides for forfeiting of a parcel of property to the State of Minnesota. All voted in favor of the motion.

Ron Jensen, Administrator of Weiner Memorial Medical Center, and Jerry Boerboom, Finance Officer for Weiner Memorial Medical Center, were in attendance at the meeting. Mr. Boerboom presented an overview of the audit for the Weiner Memorial Medical Center as of September 30, 1995. Based on the information in the audit Mr. Boerboom indicated that the hospital is in good financial condition. Ron Jensen and Lee Warne on behalf of the Weiner Memorial Medical Center Board were in attendance to address with the City Council the remodeling of the hospital in which Mr. Warne presented a brief overview of what the plans are for the remodeling. Mr. Tom Osterberg, Group II Architects, did present a more detailed presentation on the remodeling projects for the hospital. Mr. Osterberg indicated that the improvements to be made on second floor in the old hospital would be to the Materials Management Department and the remodeling of the Thrift Shop. The elevator and the connecting link to the second floor would be remodeled. The third floor remodeling would be in the area of Respiratory Therapy and the fourth floor would include remodeling to the Cardiac Rehab Department, Occupational Therapy, Physical Therapy and Building Systems/General Improvements areas. The projected costs of these improvements was \$1,630,000.

Stores moved, Doyle seconded, the proper personnel from the Weiner Memorial Medical Center, be authorized to proceed with the phase I remodeling project which would allow the architect to begin preparing the construction documents and the advertising for the bids for phase I. All voted in favor of the motion.

Stores moved, Edblom seconded, the proper City personnel be authorized to execute an agreement between the Southwest Minnesota Housing Partnership and the City of Marshall for a grant writing agreement. This agreement provides for the Southwest Minnesota Housing Partnership

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to be paid a processing fee of \$3,500. All voted in favor of the motion.

Edblom moved, Doyle seconded, the adoption of RESOLUTION NUMBER 1881, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1881, Second Series, is a resolution authorizing the grant participation of the City of Marshall for a housing grant through the Minnesota Housing Finance Agency for land acquisition. All voted in favor of the motion.

Gerald Huber - from Independent School District #413, Lee Warne - Southwest West Central Service Cooperative and Harry Weilage - Director of Community Services were in attendance at the meeting to review with the City Council a Letter of Understanding including these three agencies and Southwest State University to move forward to develop a telecommunications system wherein the residents of the community could share information through a telecommunications system. Doyle moved, Stores seconded, the proper City personnel be authorized to execute the Letter of Understanding involving the Independent School District, the City of Marshall, Southwest State University and Southwest West Central Service Cooperative which would allow the group to move forward to develop a telecommunications system until formal agreement can be entered into. All voted in favor of the motion.

Upon the recommendation of the Public Improvement/Transportation Committee, Edblom moved, Doyle seconded, the proper City personnel be authorized to submit a request for an amendment to the 1996 MNDOT Public Transit Contract to provide for an additional 23 hours of operation per week plus MNDOT's participation in the related personnel and operating costs for these additional hours of operation. The additional hours of operation would provide for the transit system to be operated from 5:30 a.m. to 11:00 p.m. Monday thru Thursday; 5:30 a.m. on Friday to 2:00 a.m. on Saturday; and Saturdays from 10:00 a.m. to 2:00 a.m. on Sundays. All voted in favor of the motion.

Robley moved, Boedigheimer seconded, the adoption of RESOLUTION NUMBER 1882, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1882, Second Series, is a resolution approving the plans and ordering the advertisement for bids for the 1996 Airport Improvement Project (A.I.P. 3-27-0056-02). It is the intent that the bids would be opened on March 12, 1996 at 2:00 p.m. and consideration of the awarded bids at the March 18, 1996 City Council meeting. This resolution is adopted with the understanding that the award of the bid is contingent securing FAA Grant participation for these improvements. All voted in favor of the motion.

Boedigheimer moved, Robley seconded, the proper City personnel be authorized to advertise for bids for a one ton truck replacement for the Wastewater Treatment Facility. These bids are to be received on March 4, 1996 with the understanding that the City will consider options for this bid consisting of a straight out purchase, a trade-in price, and also providing for an option for other communities to purchase this equipment from the City of Marshall. All voted in favor of the motion.

REGULAR MEETING - FEBRUARY 5, 1996

In response to the request from the Street Department to advertise for bids for the replacement of a 1990 Chevy 1/2 ton pickup and from the Building Inspection Department to replace a 1985 Chevy Cavalier, Boedigheimer moved, Robley seconded, the authorization to advertise for bids for the Street Department and Building Inspection Department replacement of vehicles be tabled to the February 20, 1996 City Council meeting to allow for more information to be provided to the City Council as to the statement of need for the replacement of the vehicles, current mileage on these vehicles, maintenance cost, the conditions of the vehicles and the possibility of these vehicles being used in another department. All voted in favor of the motion.

Edblom moved, Stores seconded, the proper City personnel be authorized to execute a Certificate of Correction to the Plat for Maple and Second Street Addition. The correction to this plat will bring the plat from Maple and Second Street Addition into agreement with the contiguous plat of Nielsen's Fourth Addition. All voted in favor of the motion.

Robley moved, Doyle seconded the proper City personnel be authorized to negotiate an agreement with a consultant to design a new roof for the Wastewater Treatment shop, filter and blower buildings and also for the fire station. It is the intent of City staff to receive requests for proposals for appropriate consultants for this project. All voted in favor of the motion.

Following a lengthy discussion in regard to the proper City personnel negotiating a contract with Rieke, Carroll, Muller and Associates for the design of the North 7th Street force main project and the clarifier rehabilitation project, Edblom moved, Robley seconded, the proper City personnel be requested to communicate by letter with Rieke, Carroll, Muller and Associates and inform them that since they are in litigation with the Marshall Municipal Utilities and the League of Minnesota Cities Insurance Trust the City is unable to enter into an agreement with them for engineering services for the current proposed projects consisting of North 7th Street force main engineering and design and the clarifier rehabilitation. Provided Rieke, Carroll, Muller and Associates is in a position to resolve litigation and respond to the City within 30 days, the City Council may consider their engineering services for the current proposed projects. All voted aye.

Reports by the Mayor and Councilmembers of the various committees, commissions, and boards were presented at this time:

- | | |
|--------|--|
| Byrnes | <u>EDA</u> - the minutes from their most recent meeting were included with the agenda packet. <u>RDC</u> - the application that they have been working on with FEMA has been denied. The \$1,000,000 that the RDC had available for flood recovery loans has all been borrowed out. The RDC is continuing to work with the City of Slayton relocating their office building. |
| Stores | <u>Personnel Committee</u> - the minutes from the January 17 and February 1 meetings were included in the agenda packets. At the February 1 meeting the main discussion was how to equally pay all City employees for City Hall being closed on January 18, 1996. <u>Marshall Celebrates Committee</u> - there is time |

REGULAR MEETING - FEBRUARY 5, 1996

remaining for people to become involved with this committee preparing for the 125th celebration of the City of Marshall.

- Edblom Utilities - did have a special meeting for the evaluation of the general manager.
- Boedigheimer Human Rights - is continuing to address questions brought forth to this committee. Airport Commission - the minutes of the January 8 meeting were included with the agenda packet.
- Robley Lyon County Enterprise Development - will have a training meeting on February 24 for its board members.
- Doyle No reports.

Other items of concern brought forth by the Mayor and Councilmembers included:

A positive comment in regard to the City of Marshall Street Department recent snow removal process.

A public hearing held on January 29, 1996 for the children, youth, families as it relates to the Comprehensive Plan for the City of Marshall was well attended and viable information was presented. The next public hearing will be held on February 26, 1996 on the quality of life. Councilperson John Doyle will be attending this meeting and an additional Councilmember was requested to attend.

Doyle moved, Edblom seconded, that the following bills and contract payments were unanimously approved: ACCOUNTS PAYABLE VOUCHER #64901 through 65144.

A concern was expressed in regard to the amount paid to Richard Knutson for Project Number 1993-001C the Gravity Sewer Project. The amount paid exceeded the original contract by \$42,881.24. The explanation for the amount expended in excess of the contract amount was that the contract was originally bid on a per unit cost and the number of units to complete the project were in excess of what was included in the contract.

The following building permits previously approved by the building official were confirmed:

Chester Miller
917 West Main Street
Remodel Two-Family Dwelling
\$7,000

Moberg Inc.
905 East College Drive
Office Remodel
\$8,000

REGULAR MEETING - FEBRUARY 5, 1996

Brett & Julie Anderson
209 East Main Street
Reside Dwelling/Remodel Porch
\$2,600

Paul Gylling
202 South Whitney Street
Basement Remodel
\$700

Homera Homes of Minnesota
220 Legion Field Road
Dwelling
\$60,000

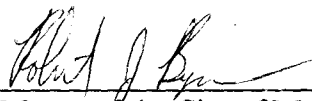
Carr Properties Inc.
411 Village Drive
Repair Apartment
\$5,000

Bladholm Construction
1203 East College Drive
Canopy
\$4,200

Bladholm Construction
814 West Main Street
Remodel Retail Building
\$140,000

True Value Home Center
1120 Horizon Drive
Basement Remodel
\$7,000

Upon motion made by Doyle, seconded by Edblom, the meeting was adjourned. All voted aye.



Mayor of the City of Marshall

ATTEST:



Finance Director/City Clerk

REGULAR MEETING - FEBRUARY 20, 1996

The regular meeting of the Common Council of the City of Marshall was held on February 20, 1996. The meeting was called to order at 7:36 p.m. by Mayor Byrnes in the Council Chambers of the Marshall Municipal Building. In addition to Byrnes, the following members were present: Doyle, Robley, Edblom, Roggeman and Stores. Absent: Boedigheimer.

The Pledge of Allegiance was recited at this time.

It was the general consensus of the City Council that the agenda be approved as presented.

Stores moved, Robley seconded, that the minutes of the regular meeting held on February 5, 1996 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

Robley moved, Edblom seconded, the adoption of RESOLUTION NUMBER 1883, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1883, Second Series, is a resolution calling for a public hearing on the proposed modification by the Housing and Redevelopment Authority in and for the City of Marshall with the Modified Redevelopment Plan for Redevelopment Project No. 1 and the modification of the Tax Increment Financing Plans for the Tax Increment Financing District Nos. 1-1 through 1-10. A public hearing is scheduled for April 1, 1996 at 7:30 p.m. to consider the modification to the Redevelopment Plan for the Hill Street Place which is planning an expansion to their facility of 20 units of which 8 units would be considered under the tax increment financing assistance. All voted in favor of the motion.

Dave Raasch, project manager from the Department of the Army, Army Corp of Engineers, was in attendance at the meeting to review with the City Council and explain the draft Project Cooperation Agreement between the Department of the Army-Army Corp of Engineers and the City of Marshall for the construction of flood control project on the Redwood River in Marshall. The City has submitted a financing plan to the Corp of Engineers outlining the City's intent to finance there share of Stage I of this project which would be approximately \$547,000 to \$597,000 with State funding or \$792,000 to \$842,000 without State funding. The City has applied to the State of Minnesota for funding in the amount of \$245,000 of this project. Mr. Raasch indicated that the plans and specifications for Phase I are completed and the intents are to receive bids in June of 1996 and start construction in September of 1996 with the completion of a majority of the work in 1997. Doyle moved, Stores seconded, tentative approval be granted for the Project Cooperation Agreement between the Department of the Army and the City of Marshall for the construction of the flood control project on the Redwood River in Marshall, Minnesota. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Roggeman moved, Doyle seconded, a Variance Adjustment Permit be granted to James Stripling, 700 Marguerite Avenue, to construct an addition to his garage with a front yard setback which would be in a straight line and would be no closer to the front property line than the existing dwelling at 700 Marguerite Avenue. Robert Schrier, 704 Marguerite Avenue, was in attendance at the meeting and expressed his opposition to the

REGULAR MEETING - FEBRUARY 20, 1996

recommendation of the Planning Commission. Mr. Schrier was opposed since he felt that the construction of the garage would obstruct the view from his property and be closer to the front yard than his property. All voted in favor of the motion.

Roggeman moved, Stores seconded, the introduction of an ordinance providing for the conveyance of an interest in real estate owned by the City of Marshall. On August 4, 1970 the City of Marshall was granted an easement behind the Furniture Land Store located at 1203 East College Drive in Marshall for the location of a civil defense emergency siren. This siren has been removed and the City is no longer in need of this easement, therefore the owners, Dale and Marjorie Rothenberger have requested that the easement be vacated. All voted in favor of the motion.

Harry Weilage, Director of Community Services, was in attendance at the meeting to review with the City Council an amendment to the Joint Powers Agreement between the Independent School District No. 413 and the City of Marshall. The amendment to this agreement provides for an identification of the responsibility as it relates to insurance coverage for the programs and activities sponsored. Roggeman moved, Doyle seconded, the proper City personnel be authorized to execute the amended agreement between the Marshall Independent School District No. 413 and the City of Marshall to provide a joint Community Services Department. All voted in favor of the motion.

Roggeman moved, Edblom seconded, that a plumbers license for Fred Muralt DBA Budget Plumbing Corporation be approved. This license is for the period ending March 31, 1996 and the fee for this license is \$35. All voted in favor of the motion.

Dave Drown, Chairperson for the Charter Commission, was in attendance at the meeting to present to the City Council those ordinances that they are recommending the City consider as changes to the City of Marshall City Charter.

Upon the recommendation of the Charter Commission, Robley moved, Roggeman seconded, the introduction of an ordinance amending Section 2.03, Subdivision 1(B) and repealing Section 2.03, Subdivision 1(C) of the City Charter of the City of Marshall, Minnesota regulating the term of the mayor in the City of Marshall, Minnesota and that a public hearing be held on April 1, 1996 at 7:30 p.m. to consider the introduction of this ordinance. This ordinance provides for the mayor's term to be four years beginning with the municipal election in 1996. All voted in favor of the motion.

Upon the recommendation of the Charter Commission, Edblom moved, Stores seconded, the introduction of an ordinance amending Section 2.07 of the City Charter of the City of Marshall, Minnesota regulating the salaries of Councilmembers and the Mayor of Marshall, Minnesota and that a public hearing be scheduled for April 1, 1996 at 7:30 p.m. to consider this ordinance. This ordinance provides for the salaries of the Councilmembers and the Mayor to be discussed as an agenda item at the first City Council meeting in July of each year. All voted in favor of the motion.

Upon the recommendation of the Charter Commission, Stores moved, Robley seconded, the introduction of an ordinance amending Chapter 5 of the City Charter of the City of Marshall,

REGULAR MEETING - FEBRUARY 20, 1996

Minnesota regulating the initiative, referendum and recall provisions of the City Charter of the City of Marshall, Minnesota and that a public hearing be held on April 1, 1996 at 7:30 p.m. to consider the introduction of this ordinance. Robert Meffert spoke in favor of the changes that are being recommended by this ordinance. All voted in favor of the motion.

Upon the recommendation of the Charter Commission, Stores moved, Robley seconded, the introduction of an ordinance amending Section 13.04, Subdivision 12, of the City Charter of the City of Marshall regulating the accounting reports of the Marshall Municipal Utilities Commission in the City of Marshall, Minnesota and that a public hearing be scheduled for April 1, 1996 at 7:30 p.m. to consider the introduction of this ordinance. David Grong, a concerned citizen, was in attendance at the meeting and expressed his opposition to the introduction and adoption of this ordinance. Betty Lockwood, a Commissioner for the Marshall Municipal Utilities, also expressed her opposition to the adoption of this ordinance. All voted in favor of the motion except Roggeman who voted no.

Upon the recommendation of the Charter Commission, Edblom moved, Stores seconded, the introduction of an ordinance amending Section 11.05 of the City of Charter of the City of Marshall regulating the provisions on how to discontinue public utilities in Marshall, Minnesota and that a public hearing be scheduled for April 1, 1996 at 7:30 p.m. to consider the introduction of this ordinance. This ordinance provides for no public utility owned by the City of Marshall to be sold or otherwise disposed of by the City unless the full terms of the proposition of sale or other dispositions are embodied in an ordinance approved by sixty percent (60%) of the electors voting thereon at a general or special election. All voted in favor of the motion.

Upon the recommendation of the Charter Commission, Doyle moved, Stores seconded, the introduction of an ordinance amending Chapter 1; Chapter 2 - Sections 2.01, 2.02, 2.03 Subd. 1 (A), Subd. 2 (A), (B), (C), and Chapter 2.04 - 2.10; Chapters 3, 4, 6-10; Chapter 11 - Section 11.01 - 11.04; Chapter 12; Chapter 13, except Chapter 13.04 Subd. 12, of the City Charter of the City of Marshall, Minnesota and that a public hearing be scheduled for April 1, 1996 at 7:30 p.m. to consider the introduction of this ordinance. This ordinance primarily addresses some housekeeping changes within the identified chapters of the City Charter. All voted in favor of the motion.

Reports by the Mayor and Councilmembers of the various committees, commissions and boards were presented at this time:

Byrnes

EDA - did hold the regular meeting on February 20, 1996.

Roggeman

Housing Commission - they did review of the Hill Street Tax Increment Financing Assistance Project which they did recommend approval. Planning Commission - did consider the variance adjustment permit for Stripling which was considered previously in this City Council meeting. Community Services Advisory Board - the minutes from this committee are included with the agenda packet.

REGULAR MEETING - FEBRUARY 20, 1996

- Stores Ways and Means Committee - did hold a meeting on February 7, 1996 to discuss their preliminary funding for the improvements along the Redwood River which were again addressed at a workshop held on February 20, 1996 at 6:00 p.m. Hospital Board - they did approve an agreement with Group II Architects for the hospital improvements. They did consider an agreement with Robert L. Carr for the Hill Street construction. 125th Anniversary Committee - continues to proceed with their planning and is continuing its research on the history of Marshall for a booklet that will be prepared.
- Edblom Utilities - did have its regular meeting which he was unable to attend. Cable Commission - did have its regular meeting which he was not able to attend.
- Robley Lyon County Enterprise Development - will be meeting on February 21, 1996. Fire Department - did have a short meeting on February 13, 1996.
- Doyle EDA - did have a meeting on February 20, 1996 and addressed the Tax Increment Financing for Hill Street and they were advised that the Marshall Truss has received its DTED Grant. Library Board - did hold its meeting with a complete group of board members in attendance at which time there was an update for all the new members. They also addressed some concerns with the Book Mobile.

Other items of concern brought forth by the Mayor and Councilmembers included: An indication that the Civil Defense Director is also the Director of Public Safety; The changes that have taken place with the ambulance operation was a pleasant change and is being enjoyed; Concerns expressed in regard to the City of Marshall Sidewalk Policy and that a number of sidewalks are not being cleared of snow within a reasonable time after a snow storm; A concern being expressed in regard to a resolution that was adopted by the City Council in January providing for all lending institutions within the City being depositories; A concern with the deterioration of sidewalks adjacent to Tiger Lake; And also a concern was expressed in regard to the City addressing the appearance of abandon properties in particular in the downtown areas.

Per the request of Mayor Byrnes, Edblom moved, Stores seconded, out-of-state travel be authorized for the Mayor to travel to Washington D.C. to testify on behalf of the City of Marshall for the receiving of funds for flood projects considered by the City of Marshall. The expense of this trip will paid for from the Mayor/Council Travel Account. All voted in favor of the motion.

Keith Nelson, City Engineer/Public Works Director, introduced Dave Kurtz with Banner and Associates Inc., consulting engineers who have established an office in the City of Marshall. Their

REGULAR MEETING - FEBRUARY 20, 1996

home office is in Brookings, South Dakota.

A joint meeting of the City Council and Utilities will be held on March 19, 1996.

Doyle moved, Roggeman seconded, that the following bills including an authorization from EDA for \$5,000 for the Lyon County Facilitator Program and the contract payments be unanimously approved. ACCOUNTS PAYABLE VOUCHER #65145 through 65343.

The following building permits previously approved by the Building Official were confirmed:

Todd and Judy St. Aubin
801 North Sixth Street
Reside Dwelling, Windows and Garage
\$16,000

Susan Zvorak
633 Soucy Drive
Patio Door
\$700

B&B Incorporated
1740 East College Drive
Remodel Repair Shop
\$45,000

Troy Jacobson
309 Walnut Street
Basement Remodel
\$500

Robert L. Carr Co.
1501 State Street
Remodeling
\$1,769,000

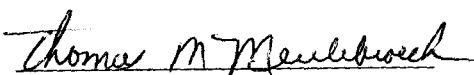
Moock and Connie Sheng
329 West Main Street
Flat Wall Sign
\$700

Upon motion made by Doyle, seconded by Stores, the meeting was adjourned. All voted aye.



Mayor of the City of Marshall, Minnesota

ATTEST:



Finance Director/City Clerk

REGULAR MEETING - MARCH 4, 1996

A meeting of the Common Council of the City of Marshall convened at 7:37 p.m. on March 4, 1996 in the Council Chambers of the Marshall Municipal Building. Those members in attendance were: Doyle, Edblom and Stores. Absent: Byrnes, Robley, Roggeman and Boedigheimer.

City Attorney advised those in attendance at the meeting that since there was not a quorum they could not conduct official business but presentations could be made.

Sam Clausen from Rieke, Carroll, Muller Associates, Inc. was in attendance at the meeting to respond to a motion passed by the City Council on February 5, 1996 regarding the future engineering work by Rieke, Carroll, Muller Associates, Inc. for the City of Marshall and the ongoing litigation between RCM and the Marshall Municipal Water, Light and Power Commission. The City Council had requested that RCM try to resolve the litigation and provide a response to the City Council within 30 days of February 5, 1996.

Mr. Clausen did provide a written response to the request of the City concerning RCM's intentions regarding the settlement. Mr. Clausen indicated that the letter that is being provided and also the presentation that he is making are made in the spirit of settlement and are not intended to be used against either party. Mr. Clausen proceeded by providing a history of the controversy beginning in February of 1994 and concluding with the briefs which are do to the Court of Appeals on March 8, 1996.

Mr. Clausen addressed two serious misconceptions about RCM in this matter and that is (1) that RCM is in control of the settlement process and (2) that RCM continues to invoice the utilities for \$47,000. Mr. Clausen indicated that DPIC Companies, the insurance providers for RCM, is the party that is in control of the settlement process and did also indicate that RCM has not billed the Municipal Utilities for the \$47,000 since April of 1994.

Mr. Clausen advised those in attendance that DPIC Companies is now prepared to offer \$500,000 in complete payment of all claims against RCM. Mr. Clausen stated that RCM has done everything they can to resolve the litigation and the DPIC has increased its offer by over 150 percent to the Utilities and it is now up to the Utilities to either accept or deny the settlement. Pat Leary the attorney for the Marshall Municipal Utilities indicated that he was not in a position to respond to the offer of \$500,000 at this time. Mr. Leary did indicate that he does basically agree with the history of events that have taken place with this litigation which was addressed by Mr. Clausen. Mr. Leary did indicate that the pending items to be addressed by March 8 in regard to the litigation of this case could potentially take up to an additional six months before it is resolved. The Marshall Municipal Utilities would be meeting on Friday, March 8, 1996 to consider the offer of \$500,000 from DPIC Companies.

With no further presentations made, the meeting was closed at 8:00 p.m.

Mayor of the City of Marshall, Minnesota

ATTEST:

Finance Director/City Clerk

SPECIAL MEETING - MARCH 11, 1996

A special meeting of the Common Council of the City of Marshall was held on March 11, 1996. The meeting was called to order at 5:34 p.m. by Mayor Byrnes in the Cottonwood Room of the Marshall Municipal Building. In addition to Byrnes, the following members were present: Doyle, Edblom, Stores, Robley and Roggeman. Absent: Boedigheimer.

Mike Johnson, City Administrator, reviewed the financing plan options for the U.S. Corp of Engineers Flood Control Project. The five financing options that were reviewed as per addressed in a letter dated February 26, 1996 from Springsteds, financial advisors for the City of Marshall, were as follows:

1. Utilizing of the City of Marshall cash reserves. This is not a feasible option since the City does not have sufficient cash reserves to make such an investment.
2. General Obligation Bonds in which the City would seek authorization to issue these bonds and pledge the full faith and credit of the City of Marshall for the repayment of these bonds.
3. General Obligation Improvement Bonds which would allow for the construction of a project pursuant to the provisions of Chapter 429, Minnesota Statutes.
4. General Obligation Storm Water District Bonds which would be provided through the establishment of an ordinance whereby a City-wide storm water benefit district would be developed pursuant to Chapter 444, Minnesota Statutes.
5. General Obligation Tax Increment Bonds whereby the City would use surplus increments from various tax increment financing districts.

In reviewing the different options, the General Obligation Storm Water District Bonds seem to be the most feasible alternative to consider as the financing option for the U.S. Corp of Engineers Flood Control Improvements. The Council was advised that if this option were chosen that two public hearings would have to be held. The first public hearing would provide for the adoption of an ordinance to create a City-wide storm water district and the second public hearing would be to discuss with the General Public the tax impact of this ordinance on the developing of a storm water benefitted district.

Stores moved, Edblom seconded, the proper City personnel be authorized to initiate the proceedings with the City's financial advisors, Springsteds, to develop a storm water district which would allow for the City to issue general obligation storm water district bonds for the financing plan for the U.S. Corp of Engineers Flood Control Project. All voted in favor of the motion.

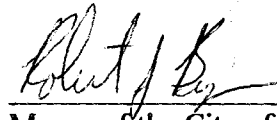
Roggeman moved, Doyle seconded, that the following bills and contract payments be unanimously approved: ACCOUNTS PAYABLE VOUCHER # 65344 though 65482.

SPECIAL MEETING - MARCH 11, 1996

Per Minnesota Statutes 471.705 (Subd. 1a), Edblom moved, Roggeman seconded, the meeting be closed at 6:23 p.m. to consider the strategy for labor negotiations for the Police Department for 1996 and 1997. All voted in favor of the motion.

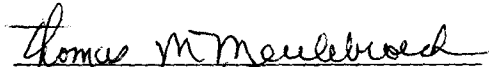
There were no actions taken at the closed meeting which concluded at 8:17 p.m.

Upon motion made by Stores, seconded by Roggeman, the meeting adjourned at 8:20 p.m. All voted in favor of the motion.



Mayor of the City of Marshall, Minnesota

ATTEST:



Finance Director/City Clerk

REGULAR MEETING - MARCH 18, 1996

The regular meeting of the Common Council of the City of Marshall was held on March 18, 1996. The meeting was called to order at 7:30 p.m. by Mayor Byrnes in the Council Chambers of the Marshall Municipal Building. In addition to Byrnes, the following members were present: Robley, Doyle, Edblom, Roggeman, Boedigheimer and Stores. Absent: None.

The Pledge of Allegiance was recited at this time.

It was the general consensus of the City Council that the agenda be approved as presented.

Mayor Robert Byrnes introduced Kristi Doom and Sarah Meulebroeck, who were in attendance at the meeting as representatives from the Marshall Senior High Mayor's Youth Council.

Stores moved, Doyle seconded, that the minutes of the regular meeting held on Tuesday, February 20, 1996, the minutes of the presentation held on Monday, March 4, 1996 and that the minutes of the special meeting held on Monday, March 11, 1996 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

Bids were received, opened and read on March 4, 1996 at 2 o'clock p.m. in the Council Chambers of the Marshall Municipal Building for a one-ton truck for the Wastewater Treatment Facility. The proposals to be received provided for three options:

Option A - the furnishing of a 1996 truck and the trade-in of a 1990 Dodge Chassis.

Option B - to purchase a 1996 truck without a trade-in.

Option C - to receive bids for the 1990 Dodge Chassis.

NAME	BID SECURITY	BID AMOUNT				
		PROPOSAL A		PROPOSAL B		PROPOSAL C
Anton Chevrolet 1608 East College Drive Marshall, MN 56258 507-532-2241	Bid Bond	Base Bid	\$19,379.31	Base Bid	\$19,379.31	
		Trade-In	<u>6,750.00</u>	Sales Tax	<u>1,259.66</u>	
		Net Bid	12,629.31	TOTAL BID	\$20,638.97	
		Sales Tax	<u>820.91</u>			
		TOTAL BID	\$13,450.22			
Lockwood Motors 1310 East College Drive Marshall, MN 56258 507-537-1526	Bid Bond	Base Bid	\$19,649.00	Base Bid	\$19,649.00	
		Trade-In	<u>4,500.00</u>	Sales Tax	<u>1,277.18</u>	
		Net Bid	15,149.00	TOTAL BID	\$20,926.18	
		Sales Tax	<u>984.68</u>			
		TOTAL BID	\$16,133.68			

REGULAR MEETING - MARCH 18, 1996

NAME	BID SECURITY	BID AMOUNT				
		PROPOSAL A		PROPOSAL B		PROPOSAL C
Tholen Auto Sales 1100 West Main Street Marshall, MN 56258 507-532-3291	Cashier's Check	Base Bid	\$19,096.44	Base Bid	\$19,096.44	
		Trade-In	<u>5,700.00</u>	Sales Tax	<u>1,241.27</u>	
		Net Bid	13,396.44	TOTAL BID	\$20,337.71	
		Sales Tax	<u>870.77</u>			
		TOTAL BID	\$14,267.21			

Roggeman moved, Stores seconded, a bid for a one-ton truck for the Wastewater Treatment Facility be awarded to Anton Chevrolet in the amount of \$13,450.22 which provides for the trade-in of the 1990 Dodge Chassis. All voted in favor of the motion.

This was the date and time set for a public hearing for the preliminary plat of Calvary Baptist Church Addition. Keith Nelson, City Engineer/Public Works Director, indicated to the Council that this preliminary plat consists of one lot which was a part of the original Outlot A of Viking Addition Plat 3. With no questions or concerns brought before the public hearing, Doyle moved, Edblom seconded, the public hearing be closed. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Robley moved, Roggeman seconded, the preliminary plat for Calvary Baptist Church Addition consisting of one lot which was a part of the original Outlot A of Viking Addition Plat 3 be approved with those items identified in the Engineer's Report being included in the final plat. All voted in favor of the motion.

This was the date and time set for a public hearing on the preliminary plat for Westwood Acres Plat No. 4. Keith Nelson, City Engineer/Public Works Director, reviewed the preliminary plat with those in attendance at the meeting. With no questions or concerns brought before the public hearing, Doyle moved, Roggeman seconded, the public hearing be closed. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Edblom moved, Robley seconded, the preliminary plat for Westwood Acres Plat No. 4 be approved with the understanding that those items addressed in the Engineer's Report be included in the final plat. All voted in favor of the motion.

Robley moved, Edblom seconded, the adoption of ORDINANCE NUMBER 351, SECOND SERIES, and that the reading of the same be waived. Ordinance Number 351, Second Series, is an ordinance providing for a conveyance of an interest in real estate owned in the City of Marshall, Minnesota on August 4, 1970 the City of Marshall was granted an easement behind the Furniture Land Store located at 1203 East College Drive, Marshall, for the location of a civil defense emergency siren. This siren has been removed and the City is no longer in need of this easement, therefore, the owners, Dale and Marjorie Rothenberger had requested this easement vacated. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Roggeman moved, Doyle seconded, the approval of a Conditional Use Permit for Market Street Mall/PKB Investments, Inc. to construct a 221

REGULAR MEETING - MARCH 18, 1996

square foot advertising sign at the intersection of Market Street and East College Drive subject to the following conditions:

1. The City Council approval of a "Special Permission" per Sec 7.20, Subd. 4 of the City Code and a requirement of a Certificate of Insurance to hold the City harmless in event of a liability claim.
2. The applicant provide a survey of the sign location prior to construction.

All voted in favor of the motion.

Roggeman moved, Stores seconded, that special permission be granted to Market Street Mall, 1420 East College Drive, to locate advertising signs in the street right-of-way. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Roggeman moved, Robley seconded, a Conditional Use Permit be granted to Cliff J. Dahm, Jr., owner of Viking Apartments, 108 East Main Street, for a 16-unit apartment in a B-3 General Business District/Downtown District with the understanding that the unfinished parking lot area would have to be paved by November 1, 1996 as required in the City Ordinances, Section 11.21. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Roggeman moved, Doyle seconded, the approval of a Conditional Use Permit for Greg Taylor to construct a 11-unit apartment in a B-3 General Business District/Downtown District at 104 South First Street with the condition that there be 11 exterior parking spaces provided before occupancy is granted for these apartments. All voted in favor of the motion.

Stores moved, Robley seconded, that the proper City personnel be authorized to execute an agreement between Robert and Phyllis Carr and the City of Marshall relating to the exchange of property at the Weiner Memorial Medical Center for the expansion of Hill Street Place. This agreement addresses the concerns that would impact the license which the City has obtained for the helicopter pad located in that part of Lot 2, Block 1 of Weiner Memorial Addition to the City of Marshall and also addresses the storm sewer improvement project for the Hill Street storm sewer in the Marshall to the Church Street area in which the Carr's have agreed to pay for the assessments for this improvement. All voted in favor of the motion.

Robley moved, Stores seconded, that the approval of the contract for administrative services with the Southwest Regional Development Commission for the Section 4.04 Hazard Mitigation Sub-Grant from the State of Minnesota Department of Public Safety, Division of Emergency Management, for the improvements to Ditch 62 be tabled to the April 1, 1996 City Council meeting to address in more detail Section 5-C which indicates that the City agrees to indemnify and hold harmless the Commission against any legal actions brought by any person or entity whatsoever arising out of or claimed to be arising out of the performance of either party under this agreement for services. All voted in favor of the motion.

Robley moved, Doyle seconded, the proper City personnel be authorized to execute an agreement for the City of Marshall to join the Minnesota Municipal Utilities Association Drug and Alcohol Testing Consortium. This program is for those employees who are required to have commercial drivers license. All voted in favor of the motion.

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Mike Johnson, City Administrator, provided an overview to the City Council and others in attendance at the meeting of the various improvements that are in the plans to be done at the Marshall Municipal Airport. Following the presentation, Robley moved, Roggeman seconded, the adoption of RESOLUTION NUMBER 1884, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1884, Second Series, is a resolution appointing and designating the Commissioner of Transportation as the agent for the City of Marshall for the 1996 Airport Improvement Project (A.I.P. 3-27-0056-02). All voted in favor of the motion.

Mike Johnson, City Administrator, provided three different scenarios for the funding for the Marshall Municipal Airport 1996 Airfield Improvements. The first scenario provided for the keeping of the taxiway edge lights (MITL) at runway turnoff radii, eliminate all other MITL and replace with reflectors, keep signs; eliminate all protector pads which would provide for a savings of \$84,000. Scenario #2 provided for the eliminating of all MITL and replacing with salvaged, stake-mounted refurbished MIRL fixtures; change to direct burial conductors (no conduit); eliminate all protector pads which would save approximately \$58,000.

Scenario #3 was to construct the project as bid.

Due to the uncertainty of the state and federal funding recommendations for this project and the source of local funding of approximately \$234,000. Robley moved, Edblom seconded, the resolution to award the contract and authorization to execute the Minnesota Department of Transportation Agreement for State Financial Assistance for the Airport Improvement be tabled to the April 1, 1996 meeting to allow for time to determine the funding sources and to potentially contact the major users of the airport for assistance in funding the local share of these improvements. All voted in favor of the motion.

Edblom moved, Robley seconded, the adoption of RESOLUTION NUMBER 1885, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1885, Second Series, is a resolution calling for a public hearing on the establishment of a Storm Sewer Improvement Project District No. 1. This public hearing has been scheduled for 7:30 p.m. on April 1, 1996. All voted in favor of the motion.

Doyle moved, Roggeman seconded, the adoption of RESOLUTION NUMBER 1886, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1886, Second Series, is a resolution providing for the control signage at the North 7th Street intersection with Erie Road. All voted in favor of the motion.

Edblom moved, Robley seconded, the adoption of RESOLUTION NUMBER 1887, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1887, Second Series, is a resolution ordering the preparation of report on improvement to Birch Street from Bruce Street to State Street which would include regrading, asphalt surfacing and storm sewer improvements. All voted in favor of the motion.

Boedigheimer moved, Robley seconded, the proper City personnel be authorized to execute an agreement with Rieke Carroll Muller Associates, Inc. for design services required on the improvements to the Wastewater Treatment clarifiers. This agreement provides for the cost of services to not exceed \$7,800. All voted in favor of the motion.

REGULAR MEETING - MARCH 18, 1996

Boedigheimer moved, Stores seconded, Rieke Carroll Muller Associates, Inc. be authorized to prepare the contracts for the design services required for the forcemain replacement between the existing lift station and the Marshall Wastewater Treatment Plant. Once this contract has been drafted it will be presented to the Council for final approval. All voted in favor of the motion.

Robley moved, Edblom seconded, the proper City personnel be authorized to advertise for bids for a 1/2 ton pickup for the Street Department. These bids are for a four-wheel drive vehicle. It is the intent that a 1990 Chevy 1/2 ton pickup from the Street Department will be transferred to the Engineering Department to be used by the Building Official and the current 1985 Chevy Cavalier that is used by the Engineering Department will be traded-in on the new pickup. All voted in favor of the motion except Boedigheimer and Roggeman who voted no.

Robley moved, Doyle seconded, the refuse haulers license with Ritter's Sanitary Service for the period April 1, 1996 through March 31, 1997 be approved at a fee of \$100 with the understanding that the disposal haulers are in conformance with the County Solid Waste Program. All voted in favor of the motion.

Roggeman moved, Edblom seconded, BE IT RESOLVED, that the proper City personnel be authorized to advise the State of Minnesota Charitable Gambling Control Board that they have approved the application for Minnesota Lawful Gambling Premises Permit for the Eagles Aerie 3405 for use at the Eagles Aerie 3405, 423 West Main Street, Marshall, Minnesota. All voted in favor of the motion.

Roggeman moved, Edblom seconded, the approval of the Consumption and Display License for the Wooden Nickel, VFW Post 742, Eagles Club, for the period April 1, 1996 to March 31, 1997 at a fee of \$100. All voted in favor of the motion.

Robley moved, Doyle seconded, and it was unanimously approved that the following plumbers license be approved for the period April 1, 1996 to March 31, 1997 at a fee of \$35:

Michael Paulson DBA Mike's Plumbing
 Richard Winter
 Gary Smidt DBA Gary's Plumbing & Heating
 John Bretzman DBA Crosstown Plumbing & Heating
 Kenneth Holm DBA Heartland Mechanical
 Joseph Mortier DBA Bisbee Plumbing & Heating
 Glenn Larson DBA Enviro Pump Plus
 John Jenniges DBA Jenniges Plumbing & Heating
 Robert VanderLinden DBA Countryside Plumbing
 Vern Goslar DBA Trio Plumbing & Heating
 Andrew Maertens DBA Andy Maertens Plumbing
 Edward Duthoy DBA Ed's Plumbing & Heating
 Rodney Bruflat DBA Bruflat Plumbing & Heating
 James Wambeke DBA Wambeke Plumbing & Heating
 Michael Orthaus DBA Tri-State Mechanical, Inc.
 Ronald Sussner DBA Frank's Electric Plumbing and Heating
 Kenneth Grindeland DBA Olson Hardware Corp.
 Neil Kroger DBA Neil's Plumbing and Heating

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Boedigheimer moved, Robley seconded, the approval of a transient merchants license for Clothing Concepts for the calendar year 1996 at a fee of \$250. Clothing Concepts will conduct their business at the National Guard Armory and will provide for direct retail sales of mens and ladies sportswear. All voted in favor of the motion.

Doyle moved, Edblom seconded, the approval of a special vehicle license for Steve Kane to operate a golf cart type vehicle on designated streets within the City of Marshall for the calendar year 1996. The fee for this license is \$25.00. All voted in favor of the motion.

Contingent upon Independent School Dist. 413 School Board approval, Byrnes moved, Roggeman seconded, Gerald Rath and Nelly Hernandez each be appointed to three year terms to expire on February 28, 1999 and Dr. Paul Johnson be reappointed for a three year term to expire February 28, 1999 for the Community Services Advisory Board. All voted in favor of the motion.

Reports by the Mayor and Councilmembers of the various committees, commissions and boards were presented at this time:

- | | |
|--------------|--|
| Byrnes | <u>EDA</u> - will meet on March 19, 1996. The <u>Regional Development Commission</u> - did have a special meeting to address the proposed tax freezes. |
| Roggeman | <u>Housing Commission</u> - minutes were included with the agenda packets. <u>Planning Commission</u> - all items addressed at their meeting were addressed at this City Council meeting. <u>Community Services Advisory Board</u> - minutes were included with the agenda packets. <u>Ice Facility</u> - the board did meet to approve and get the proper signatures for a \$50,000 grant for a new compressor at the facility which would include no cost to the City. |
| Stores | <u>Hospital Board</u> - it was noted that the Hospital Auxiliary/Thrift Shop has contributed \$80,000 to the hospital in the last year. The nursing home is being monitored by the Department of Health and there would be some demolition on the second floor of the hospital as part of the remodeling. The clinic and the hospital are working together on recruiting. Marge Becker was at the hospital board meeting to address with the hospital the concerns of Hospice abuse of space within the hospital. <u>125th Anniversary</u> - continues to take small steps but they are progressing in organizing for the anniversary in July of 1997. |
| Edblom | Requested that the Legislative and Ordinance have a meeting. |
| Boedigheimer | <u>Airport Commission</u> - the minutes of their meetings were included with the agenda packet. |
| Robley | No reports. |
| Doyle | <u>Library Board</u> - is preparing for its booksale which was held this past weekend of March 15-17, 1996. |

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Other items of concern brought forth by the Mayor and Councilmembers included:

A concern with the parking in the area of the National Guard Armory in particularly in those areas that are designated with yellow. The strategy for flood control projects. In responding to the article in the League of Minnesota Cities Bulletin #9 dated March 8, 1996 in which the US West challenges the local authority to manage public right-of-ways. It was suggested that the Marshall Municipal Utilities be involved with the City in responding to the City's objection to the US West challenges. Concern in regard to improvements to the public announcing system within the Council Chambers. There were some mixed feelings expressed in regards to the proposed tax freeze. Concerns were expressed in regard to tree trimming and also in regard to flood control improvement - phase II which is a two to three year project.

Edblom moved, Doyle seconded, that the following bills including a request for payment to Inflate a Cage, Inc. in the amount of \$3,441.44 and the contract payments be unanimously approved: ACCOUNTS PAYABLE VOUCHER # 65483 through 65659.

The following building permits previously approved by the building official indicating March 4 and March 18, 1996 were confirmed:

Greig & Gregerson
304 North Third Street
Interior Remodel
\$2,500

Ralph Oreen
426½ North Seventh Street
Reside Dwelling
\$8,000

Paxton Signs
807 West Fairview Street
Signs
\$9,000

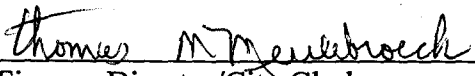
PAC Construction
Reside Apartment
1112-1126 Birch Street
\$56,000

Upon motion made by Edblom, seconded by Stores, the meeting was adjourned. All voted aye.



Mayor of the City of Marshall, Minnesota

ATTEST:



Finance Director/City Clerk

REGULAR MEETING - APRIL 1, 1996

The regular meeting of the Common Council of the City of Marshall was held on April 1, 1996. The meeting was called to order at 7:30 p.m. by Mayor Byrnes in the Council Chambers of the Marshall Municipal Building. In addition to Byrnes, the following members were present: Robley, Doyle, Edblom, Roggeman, Boedigheimer and Stores. Absent: None.

The Pledge of Allegiance was recited at this time.

It was the general consensus of the Council that Item #17A be added to the agenda. Item #17A is an agreement which provides for payment to the City for the State's share of the cost of landscape materials acquired by the City for the area adjacent to Independence Park.

Robley moved, Edblom seconded, that the minutes of the regular meeting held on Monday, March 18, 1996 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

Ron Jensen, Administrator for Weiner Memorial Medical Center, was in attendance at the meeting and reviewed with the City Council the bids that were received for the Comprehensive Remodeling Project, Phase I, which is the second floor of the 1949 building. Councilperson Robley questioned the large difference in the amount of the bids between the low and the high. It was indicated by Mr. Jensen that the unknown of what they were to find when they started the demolition was the main reason for this. He also indicated that there was no asbestos in this demolition and that he felt that the bid would be completed in less than 75 days.

Roggeman moved, Doyle seconded, that the bid for the demolition of Weiner Memorial Medical Center be awarded to Sussner Construction Inc. in the amount of \$29,250. All voted in favor of the motion.

Roggeman moved, Stores seconded, the adoption of RESOLUTION NUMBER 1888, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1888, Second Series, is a resolution declaring the official intent regarding the reimbursement of expenditures with the proceeds of tax exempt bonds. All voted in favor of the motion.

At this time Mike Johnson, City Administrator, opened the public hearing on the proposed City Charter changes. City Attorney Brian Murphy reviewed with the Council the options that they had in regard to these charter changes: they could adopt by unanimous vote the changes; they could recommend wording changes and send it back to the Legislative and Ordinance Committee. Each ordinance was to be reviewed separately.

The first proposed change was amending Section 2.03, Subd. 1, repealing Section 2.03, Subd. 1C regulating the term of the mayor. There were no comments on this item.

Item #B was amending Section 2.07 regulating salaries of Councilmembers and the Mayor. There were no comments on this item.

Item #C was amending Chapter 5 regarding the initiative referendum and recall provisions.

REGULAR MEETING - APRIL 1, 1996

There were no comments on this item.

Item D was an ordinance amending Section 13.04, Subd. 12, regulating the accounting reports of the Marshall Municipal Utilities Commission.

Ted Rowe of the Marshall Municipal Utilities Commission was in attendance at the meeting and spoke in opposition to this proposed ordinance. The comments that he gave were his own personal comments and not those of the Utilities Commission. Mr. Rowe was concerned with the word approval in the ordinance and felt that the City Council should only have to review the budget for the Utilities Commission. George Spang from Heartland Foods was in attendance at the meeting and also indicated that he opposed this ordinance change.

The next ordinance amending Section 11.05 regulating provisions on how to discontinue public utilities in Marshall, Minnesota. There were no comments on this one.

The final proposed change was amending Chapter 1, Chapter 2 - Sections 2.01, 2.02, 2.03, Subd. 1A, Subd. 2A,B,C, and Chapter 2.04 - 2.10; Chapters 3,4, 6-10, Chapter 11 - Section 11.01 - 11.04, Chapter 12, Chapter 13 except Chapter 13.04 Subd. 12, of the City Charter. There were no comments on this ordinance.

There were no additional comments made at this time, therefore, Edblom moved, Doyle seconded, the public hearing be closed. All voted in favor of the motion.

Roggeman moved, Stores seconded, the approval of ORDINANCE NUMBER 352, SECOND SERIES, and that the reading of the same be waived. Ordinance Number 352, Second Series, is an ordinance amending Section 2.03, Subd. 1B and repealing Section 2.03, Subd. 1C of the City Charter of the City of Marshall, Minnesota regulating the term of the mayor in the City of Marshall, Minnesota. Byrnes indicated that he favored a two year term. Councilperson Boedigheimer wanted to thank the Charter Commission on a job well done. All voted in favor of the motion.

Stores moved, Edblom seconded, the adoption of ORDINANCE NUMBER 353, SECOND SERIES, and that the reading of the same be waived. Ordinance Number 353, Second Series, is an ordinance amending Section 2.07 of the City Charter of the City of Marshall, Minnesota regulating salaries of Councilmembers and the Mayor of Marshall, Minnesota. All voted in favor of the motion.

Doyle moved, Boedigheimer seconded, the adoption of ORDINANCE NUMBER 354, SECOND SERIES, and that the reading of the same be waived. Ordinance Number 354, Second Series, is an ordinance amending Chapter 5 of the City Charter of the City of Marshall, Minnesota, regulating the initiative, referendum and recall provisions of the City Charter of the City of Marshall, Minnesota. All voted in favor of the motion.

There was considerable discussion at this time in regard to the proposed ordinance which would amend Section 13.04, Subd. 12 of the City Charter regulating the accounting reports of the Marshall Municipal Utilities Commission in the City of Marshall, Minnesota. Roggeman indicated

REGULAR MEETING - APRIL 1, 1996

that he had visited with the Utilities Commission and major users and indicated that he was opposed to this ordinance change. Edblom indicated that the hospital does not supply the City Council with a copy of their budget and felt that maybe the Utilities and Hospital should be treated the same. Stores indicated that the Utilities had just passed a resolution which called for better communication between the Utilities and the City. Councilperson Boedigheimer indicated that the relationship between the Utilities and the Weiner Memorial Medical Center should be handled the same. Robley was also concerned with the differences between how the Hospital and Utilities are governed by the City Council and felt that the Utilities should be governed by ordinance like the Hospital is. Councilperson Boedigheimer felt that the Hospital should also come under the City Charter. This ordinance failed to pass by a majority vote. Roggeman moved, Edblom seconded, that this proposed ordinance be sent back to the Charter Commission. Voting in favor of the motion were: Byrnes, Doyle, Edblom, Roggeman, and Stores. Voting no were: Boedigheimer and Robley.

Boedigheimer moved, Robley seconded, the adoption of ORDINANCE NUMBER 355, SECOND SERIES, and that the reading of the same be waived. Ordinance Number 355, Second Series, is an ordinance amending Section 11.05 of the City Charter of the City of Marshall, Minnesota, regulating provisions on how to discontinue public utilities in Marshall, Minnesota. All voted in favor of the motion.

Stores moved, Doyle seconded, the adoption of ORDINANCE NUMBER 356, SECOND SERIES, and that the reading of the same be waived. Ordinance Number 356, Second Series, is an ordinance amending Chapter 1, Chapter 2 - Sections 2.01, 2.02, 2.03 Subd. 1A, Subd. 2A, B, C, and Chapter 2.04 - 2.10, Chapters 3,3, 6-10, Chapter 11 - Section 11.01 11.04, Chapter 12, Chapter 13, except Chapter 13.04 Subd. 12 of the City Charter of the City of Marshall, Minnesota. All voted in favor of the motion.

This was the date and time set for a public hearing on the proposed modification by the Housing and Redevelopment Authority in and for the City of Marshall of the Modified Redevelopment Plan for Redevelopment Project #1 and the modification of the Tax Increment Financing Plans for Tax Increment Financing Districts Nos. 1-1 through 1-10. Calvin Barnett, City Assessor, reviewed with those in attendance the proposed modifications. Stores was concerned on the amount of rent. The Council had received a letter of opposition from John Fedra. James Carr also indicated that he had also received a letter from Mr. Fedra. He indicated that they are adding 20 units on to Hill Street which is a congregate housing. Councilperson Boedigheimer was not in favor of using TIF money for housing projects and it was indicated that Windsong Apartments does not receive TIF money for their apartments but they do receive some Federal Funding to assist with the rent. Edblom moved, Stores seconded, that the public hearing be closed. All voted in favor of the motion.

Stores moved, Edblom seconded, the adoption of RESOLUTION NUMBER 1889, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1889, Second Series, is a resolution relating to the modification by the Housing and Redevelopment Authority in and for the City of Marshall of the modified Redevelopment Plan for Redevelopment Project #1 and the Modified Tax Increment Financing Plans for Tax Increment Financing Districts Nos. 1-1 through 1-10, all located therein to reflect increased project costs.

REGULAR MEETING - APRIL 1, 1996

Robley indicated that Windsong receives HUD monies to help subsidize their rent. Councilperson Stores indicated that Hill Street provides easy access to the hospital for their residents. Councilperson Boedigheimer indicated that TIF is not going to make or break their project. He also stated that it failed the "but for" test but the City of Marshall made it fit. City Administrator Mike Johnson indicated that only 8 of the 20 units were to be subsidized with the TIF monies. Voting in favor of the motion were: Byrnes, Robley, Edblom, Roggeman and Stores. Voting no: Doyle and Boedigheimer.

This was the date and time set for a public hearing the establishment of a Storm Sewer Improvement District No. 1. Ted Rowe asked if the proposed improvements down Birch Street depended on this Storm Sewer Improvement District, it was indicated that it does not. With no further comments on this proposed district, Roggeman moved, Stores seconded, that the public hearing be closed. All voted in favor of the motion.

Robley moved, Doyle seconded, the introduction of an ordinance to establish Storm Sewer Improvement District No. 1. All voted in favor of the motion.

At this time City Administrator Mike Johnson introduced Brennan McAlpin, North Ambulance-Marshall/Redwood Falls area. Mr. McAlpin gave the Marshall City Council an update on what North Memorial Medical Transportation has accomplished in Marshall this far. He was also requesting a letter of support from the City of Marshall to upgrade the service from Basic Life Support to Advanced Life Support utilizing paramedics. Stores moved, Roggeman seconded, that the City of Marshall sign this letter of support. All voted in favor of the motion.

Boedigheimer moved, Doyle seconded, the adoption of RESOLUTION NUMBER 1890, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1890, Second Series is a resolution awarding the contract and authorization to execute the Minnesota Department of Transportation Agreement for State Financial Assistance for Airport Improvements. All voted in favor of the motion.

Stores moved, Robley seconded, the Supplemental Agreement No. 2 with TKDA for construction engineering services contingent upon state funding. All voted in favor of the motion.

Stores moved, Robley seconded, the approval of a contract with Southwest Regional Development Commission for FEMA Hazard Mitigation Grant. All voted in favor of the motion.

At this time City Attorney Brian Murphy reviewed with the Council the petition for Expedited Proceeding to Exercise Commission Jurisdiction over Public Right-of-Way that filed with the Minnesota Public Utilities Commission by U.S. West. This petition was submitted to the Public Utilities Commission based on actions taken by the City of Redwood Falls, St. Paul, Blaine and Marshall concerning the regulation of public right-of-ways. This was an informational item only.

Doyle moved, Roggeman seconded, the introduction of an ordinance providing for the trading of real estate owned by the City of Marshall, Minnesota. This ordinance provides for the trading of real estate owned by the City with Robert L. Carr and Phyllis Carr. All voted in favor of the motion.

REGULAR MEETING - APRIL 1, 1996

A five minute recess was called at this time.

Item #11 which was to consider a proposal with RCM for Wastewater Treatment Facilities Improvements and Item #12 which was a resolution receiving report and calling for hearing on improvement on Birch Street were removed at this time.

Discussion was held at this time on the authorization to advertise for bids for a snow blower for the Street Department. The 1996 budget includes funds for a lease/purchase of a snow blower to be used in from of the departments payloaders. It was indicated that the purchase price of a new snow blower would be approximately \$90,000 and the trade-in would be between \$30,000 and \$35,000 for the blower that they would be trading in. A question was raised in regard to rebuilding the snow blower that they have rather than trading in and purchasing a new one. Robley moved, Roggeman seconded, that the City of Marshall be authorized to explore the options of rebuilding the existing snow blower rather than going out for bids at this time. All voted in favor of the motion.

Harry Weilage, Director of Community Services, reviewed with the Council the proposed park service building which is to be located in Independence Park. He indicated that this would include a concession stand area, press box, storage and restrooms. He also indicated that the City has budgeted \$25,000 towards this project with the remaining revenue to be supplied by Marshall's AAU Program. He indicated that the maintenance on this building should be minimum. Roggeman moved, Edblom seconded, that the proper City personnel be authorized to advertise for bids for a park service building to be located at Independence Park. All voted in favor of the motion except Boedigheimer and Robley.

Mike Johnson, City Administrator, took a moment to compliment the City staff on the plans for this project.

City Administrator Mike Johnson presented to the City Council a proposal for the development of a Compensation System for the City of Marshall from Labor Relations Associates, Inc. Total cost for this survey including a market survey is \$9,875. The total cost excluding the market survey is \$6,675. It was indicated that Nona Stokke from the City Administrator's Office would be willing to compile the information if the City did the survey on their own. This proposal also includes the bench mark positions and the proposed comparability group that the City would use in developing an updated compensation plan. This plan would not replace the Hay's Plan. Several Councilmembers felt that not only cities should be used in this comparability but also County and private industry. There was also some concern as to why only Labor Relations, Inc. was asked to submit a proposal for this.

Roggeman moved, Stores seconded, that the proper City personnel be authorized to enter into an agreement with Labor Relations Associates, Inc. for the development of a Compensation System for the City of Marshall. All voted in favor of the motion except Boedigheimer who voted no.

Roggeman moved, Stores seconded, that Monday, April 22, 1996 at 6:00 p.m. be the date set for the Board of Review. All voted in favor of the motion.

REGULAR MEETING - APRIL 1, 1996

Edblom moved, Roggeman seconded, the approval of a special vehicle license for Robert Swisher for the calendar year 1996 at a fee of \$25. All voted in favor of the motion.

Stores moved, Doyle seconded, the adoption of RESOLUTION NUMBER 1891, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1891, Second Series, is a resolution authorizing the City of Marshall to enter into an agreement with the State of Minnesota Department of Transportation for the payment by the State to the City of the acquisition cost of landscape materials to be placed adjacent to Trunk Highway #23. All voted in favor of the motion.

Reports by the Mayor and Councilmembers of the various committees, commissions and boards were presented at this time:

Byrnes	No report.
Roggeman	No report.
Stores	<u>Marshall Celebrate Committee</u> - would be having a meeting on April 9, 1996 at 5:00 p.m.
Edblom	<u>Cable Commission</u> - had their regular meeting. <u>Convention and Visitors Bureau</u> - he was not able to attend but Linda Erb gave an update on TRAM. <u>Utilities Commission</u> - held a public hearing. They approved an agreement with Heartland Power. The RCM agreement has been taken care of and they just approved the sick leave, school leave and family/medical leave policies.
Boedigheimer	<u>Human Rights Commission</u> - talked about the open meeting law.
Robley	<u>Lyon County Enterprise Development</u> - has indicated that the facilitator position is being used as a role for other counties.
Doyle	No report.

Other items of concern brought forth by the Mayor and Councilmembers included: Loud music coming from vehicles and parks. Edblom indicated that there was a seminar sponsored by the League in St. Paul suggested the need for more discussion on TIF, team building and goal setting. Stores suggested the need for quarterly meetings of the commissions. There was some concern as to the level of the river. Byrnes indicated that it is not at flood stage. He indicated that it is very high in the City of Marshall but the Diversion Channel is very low. Boedigheimer suggested that there be a meeting for the long term goals.

Roggeman moved, Edblom seconded, that the following bills and contract payments be unanimously approved: ACCOUNTS PAYABLE VOUCHER # 65660 through 65801.

REGULAR MEETING - APRIL 1, 1996

The following building permits previously approved by the Building Official were confirmed:

Minnesota Corn Processors
1800 North Seventh Street
Manufacturing Building
\$25,000

David Kopitski
409 North Third Street
Reside and Reroof Garage
\$2,500

Schaefer Woodworks
510 West Redwood Street
Kitchen Remodel
\$3,000

DeVries Construction
400 Dogwood Avenue
Reroof
\$3,000

Troy Werk
1217 East Lyon Street
Reroof
\$3,000

Coudron Construction
1105 Travis Road
Remodel
\$900

Jim and Katie Hartke
402 North Bruce Street
Bathroom
\$3,000

Mark and Dawn Kirk
117 "G" Street
Basement Remodel
\$1,500

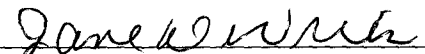
Tutt & Olson Construction
600 DeSchepper Street
Basement Remodel
\$8,000

Upon motion made by Roggeman, seconded by Stores, the meeting was adjourned. All voted aye.



Mayor of the City of Marshall, Minnesota

ATTEST:



Deputy City Clerk

1996 Local Board of Review
April 22, 1996
6:00 p.m.
Marshall City Council Chambers

Local Board of Review Members Present: Mayor Robert Byrnes, Mike Boedigheimer, Gene Roggeman, John Doyle, Larry Robley, and Don Edblom.
Local Board of Review Members Absent: Maureen Stores
City Staff Present: City Administrator Mike Johnson, City Assessor Calvin Barnett.
City Assessor's Staff: Doris Huber, Carol Snyder
County Assessor's Staff: Dean Champine, Caroline Runholt

Mayor Bob Byrnes served as presiding officer for the 1996 Local Board of Review. Mayor Byrnes, following opening remarks, requested Barnett to review for the board and those in attendance the market factors affecting the 1996 assessment. Barnett presented the Council with a prepared handout and utilized overhead graphs to illustrate the various items affecting the 1996 assessment. Overall, the market has appreciated residentially, but it was noted that during the third quarter of 1995, a market correction appeared to have occurred, indicating a potentially stable market which may extend into the short term future.

Following the presentation of market related information, Barnett called upon individuals in attendance asking them to state their name, address of the property in question, and their concerns. Barnett advised the individuals in attendance that their concerns would be investigated and recommendations relating to the individual values would be presented to the Local Board of Review within 20 days of this date for final determination. The individuals in attendance were as follows:

Norm Postera - 604 Soucy Drive - Informational only.

Kathy Dahl - 414 Mason Street. Informational only.

Allan and Janice Paul - 1219 Prospect Road. Informational only.

Eloi Soenon - 607 Lawrence Street. Informational only.

Pat Surprenant - 400 E Marshall Street. Informational only.

Delores Huber - 700 South 2nd Street. Mrs. Huber was late to attend the meeting. Barnett will meet with her to explain the information previously covered in the meeting and investigate any valuation questions she may have.

Mayor Byrnes asked if any letters of appeal had been filed with the 1996 Local Board of Review. Barnett indicated three letters had been received. They are as follows:

REGULAR MEETING - APRIL 15, 1996

The regular meeting of the Common Council of the City of Marshall was held on April 15, 1996. The meeting was called to order at 7:30 p.m. by Mayor Byrnes in the Council Chambers of the Marshall Municipal Building. In addition to Byrnes, the following members were present: Robley, Doyle, Edblom, Roggeman, Boedigheimer and Stores. Absent: None.

The Pledge of Allegiance was recited at this time.

It was the general consensus of the City Council that the agenda be approved with the deletion of Item #10 which was the request of Greg Taylor DBA J.F. Taylor & Sons, Inc. for a Conditional Use Permit for an 11-unit apartment in a B-3 General Business District/Downtown District at 105 South First Street and that the consideration of a resolution designating Travis Road from Country Club Drive to T.H. 23 as a municipal state aid highway be added as number 10

Robley moved, Doyle seconded, that the minutes of the regular meeting held on April 1, 1996 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

Bids were received, opened and read at 10:00 a.m. on April 12 in the Council Chambers of the Marshall Municipal Building for the construction of a service building at Independence Park for Community Services. The bids received, opened and read were as follows:

NAME	BID AMOUNT			
	BASE BID	ALTERNATE No. 1	ALTERNATE No. 2	ALTERNATE No. 3
Bisbee Plumbing Heating N. Highway 59 Marshall, MN 56258				
Bladholm Construction 704 West College Drive Marshall, MN 56258	46,600.00	680.00	2,500.00	1,608.00
Robert L. Carr Co. 1601 N. Highway 59 Marshall, MN 56258	49,900.00	1,000.00	1,755.00	900.00
Coleman Electric C South 5th Street Marshall, MN 56258				
Doom & Cuypers 905 Southview Drive Marshall, MN 56258	46,425.00	652.00	3,475.00	1,456.00
Sussner Construction 202 O'Connell Street Marshall, MN 56258	55,650.00	585.00	5,130.00	1,416.00

REGULAR MEETING - APRIL 15, 1996

As recommended by the AAU Board, Stores moved, Edblom seconded, the bid including the three alternates for the service building at Independence Park for Community Services be awarded to Bladholm Construction in the amount of \$51,388 with the understanding that the AAU will pay \$26,388 and the City of Marshall will contribute \$25,000 towards the construction of this facility. All voted in favor of the motion except Robley who voted no and Boedigheimer who abstained.

Edblom moved, Roggeman seconded, the adoption of ORDINANCE NUMBER 357, SECOND SERIES, and that the reading of the same be waived. Ordinance Number 357, Second Series, is an ordinance establishing Storm Sewer Improvement District No. 1. This ordinance provides for the creating of the entire City of Marshall as a storm sewer district. The purpose and intent of creating the entire City of Marshall as a storm sewer district was to enable the City Council to develop the City's share of funding needed for the Army Corp of Engineers Project. The items that would be eligible for consideration under the storm sewer improvement district would include the acquisition, construction, reconstruction, extension, maintenance and other improvements necessary for storm sewer systems and related facilities. Improvements pertaining to recreational items would not be an eligible item under the storm sewer improvement district. All voted in favor of the motion.

Stores moved, Robley seconded, the adoption of ORDINANCE NUMBER 358, SECOND SERIES, and that the reading of the same be waived. Ordinance Number 358, Second Series, is an ordinance providing for the trading of real estate owned by the City of Marshall, Minnesota. This ordinance provides for the trading of real estate owned by the City and Robert L. Carr and Phyllis Carr. All voted in favor of the motion.

Eleven representatives from the Marshall Southwest School of Dance were in attendance at the meeting requesting community and financial support for them to attend and preform at the 1996 Summer Olympics in Atlanta, Georgia. They will be performing at the Entertainment Center referred to as the "Coca-Cola Olympic City." Following the presentation by the representatives, Doyle moved, Robley seconded, the adoption of RESOLUTION NUMBER 1892, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1892, Second Series, is a resolution indicating the City of Marshall's support for the Southwest School of Dance to perform at the 1996 Olympics in Atlanta, Georgia. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Roggeman moved, Robley seconded, the introduction of the preliminary plat for the Minnesota Corn Processors Industrial Park First Addition and that a public hearing be held on May 6, 1996 at 7:30 p.m. to consider this plat. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Roggeman moved, Edblom seconded, the introduction of a preliminary plat for Westwood Acres Plat No. 5 and that a public hearing be held on May 6, 1996 at 7:30 p.m. to consider this preliminary plat. This plat consists of one lot in Plat No. 1 and three lots in Plat No. 2 which was combined with 64 feet of property between Lot 3, Block 1 in Plat No. 2 and the well site. This was a replat of four lots adding 15 feet to each lot as was originally platted. The preliminary plat is to also show the utilities. All voted in favor of the motion.

REGULAR MEETING - APRIL 15, 1996

Upon the recommendation of the Planning Commission, Doyle moved, Stores seconded, the introduction of an ordinance to rezone McLaughlin Industrial Park, Block 1, Lot 4 from I-1 Limited Industry District to B-3 General Business District at 1200 West Main Street as requested by D.C. McFarland, Jr. agent for the 5968 Company. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Roggeman moved, Robley seconded, that the Good Shepherd Lutheran Church be granted a conditional use permit for an advertising sign in a B-3 General Business District at 1600 East College Drive. The sign must be less than 35 feet high and 55 feet in length. The proposed sign would be a 8 foot by 12 foot and would not exceed the 35 foot requirement. The lot is 300 foot by 562 foot which would permit five signs where as two are going to be erected. All voted in favor of the motion.

Robley moved, Edblom seconded, the adoption of RESOLUTION NUMBER 1893, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1893, Second Series, is a resolution establishing municipal state aid highways. This resolution provides for the designation of Travis Road from County Club Drive to T.H. 23 as a municipal state aid street. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Roggeman moved, Doyle seconded a Variance Adjustment Permit be granted to the First Lutheran Church at 100 Church Street for 85 parking spaces in lieu of 133 as required by City ordinances. All voted in favor of the motion.

Doyle moved, Roggeman seconded, the proper City personnel be authorized to enter into an agreement with Rieke Carroll Muller Associates, Inc. for consulting engineering services for the force main replacement and the main lift station at the wastewater treatment plant. This agreement is in the amount of \$38,103 which includes engineering at approximately \$33,503 and reimbursable items at an additional \$4,600. All voted in favor of the motion.

Edblom moved, Stores seconded, the adoption of RESOLUTION NUMBER 1894, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1894, Second Series is a resolution receiving the report and calling for a hearing on the improvements of Birch Street between Bruce Street to State Street consisting of surface and storm sewer reconstruction. A public hearing will be held on June 17, 1996 at 7:30 p.m. in the Council Chambers of the Marshall Municipal Building to consider this improvement. All voted in favor of the motion.

Edblom moved, Doyle seconded, the adoption of RESOLUTION NUMBER 1895, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1895, Second Series, is a resolution supporting the League of Minnesota Cities financial participation on the initial response to US West petition to the Minnesota Public Utilities Commission. This resolution provides for a commitment of up to \$800 from the City of Marshall. This resolution and the commitment of up to \$800 was approved with the understanding that the monies paid under this resolution shall be credited to the City against any future solicitation by the League to finance a litigation or lobbying effort over the next year to vindicate City rights to control uses made of public right-of-ways within their boundaries. This resolution was also approved with the transfer of \$800 from the Mayor and Council Contingency Account 101-401401-6810 to the Cable Commission Professional Service Account 101-406406-3301. All voted in favor of the motion.

REGULAR MEETING - APRIL 15, 1996

Stores moved, Doyle seconded, the adoption of RESOLUTION NUMBER 1896, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1896, Second Series, is a resolution approving the contract with Minnesota Department of Children, Families and Learning of Office of Library Development and Services. This resolution approves the library accessibility contract in the amount of \$10,315. All voted in favor of the motion.

Doyle moved, Roggeman seconded, the approval of a special vehicle license for Robert Wilson to operate a golf cart type vehicle on designated streets within the City of Marshall. This fee is for the calendar of 1996 at a fee of \$25. All voted in favor of the motion.

Roggeman moved, Stores seconded, the approval of a plumbers license for Fred Muralt DBA Budget Plumbing Corporation. This license will expire on March 31, 1997 and the fee for this license is \$35. All voted in favor of the motion.

Edblom moved, Roggeman seconded, the approval of an on-sale non-intoxicating beer license for the Softball Association for the period May 10, 1996 to September 10, 1996 at a fee of \$100. This license was approved contingent upon the Softball Association providing the City with the proper certificate of insurance coverage. All voted in favor of the motion.

Reports by the mayor and councilmembers of the various committees, commissions and board were presented at this time:

Byrnes EDA and RDC - will hold regular meeting in the near future.

Roggeman Housing Commission - the minutes from their April 9, 1996 meeting were included in the agenda packet. Planning Commission - all items addressed at their meeting were addressed at the City Council meeting. Community Services Board - did meet and various associations did attend their meeting to present a report on the activities of their respective organization.

Stores Hospital - the auxiliary has contributed over \$80,000 this past year to the hospital. The second floor has been gutted for the remodeling. The construction at Hill Street has started and the hospital is willing to distribute its audit report and budget to the City Council and to have a meeting with the Council to discuss these reports. The person in the human resource position has resigned.

Edblom Cable Commission - was updated on the PUC Issue. They did review their annual report and discussed the lack of board members being at their meetings and updated their goals. Utility Commission - did receive a report from McClure Engineering on the value engineering study water treatment alternatives. The report confirmed the work of Banner Engineering. They did review the marketing partnership program and the Energy Conservation Committee is working with Heartland. The Convention and Visitors Board will meet on April 17, 1996.

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- Boedigheimer Human Rights - the minutes were included with the agenda packets and the commission was advised that Mirta Homan would be resigning. Airport Commission - minutes were included with the agenda packet. Senior Citizens Center Commission - minutes were included in the agenda packet. The three groups consisting of the Senior Center Foundation, Senior Center Commission and the Marshall Area Senior Citizen Commission did agree to meet together at least once a year and possibly before budget preparations. Fire Department - did discuss revisions to the by-laws and concerns for getting new members for the Fire Department. The City Administrator is currently working with the Fire Chief to draft the necessary documents for new members on the Fire Department.
- Robley Lyon County Enterprise Development - will meet on April 16.
- Doyle Library Board - did meet in Cottonwood.

Other items of concern brought forth by the mayor and councilmembers included: an appreciation to the volunteer fire department who assisted with the presentations that were made at the fire hall to the 3rd and 4th graders from West Side School; the 125th Anniversary Committee of the City continues to meet and it is their intent to have a book available by Christmas on the history of Marshall; the Planning Commission will be meeting on April 17, 1996 to review the Comprehensive Plan as it relates to land use; a suggestion was made for the City Council meetings to be held at 5:30 p.m; a concern was expressed in regard to the City of Marshall's tree trimming policy; a question was also raised in regard to the Public Works Department sweeping City streets; and the Council was also advised that there would be a public hearing on April 29, 1996 to discuss regional cooperation.

In regard to the pending agenda items, a concern was expressed in regard to establishing a date at which time the entrance welcome signs would be installed and on the Corp of Engineers project, a concern was expressed in regard to establishing of a date for the flow agreement.

Roggeman moved, Stores seconded, that the following bills be unanimously approved.
ACCOUNTS PAYABLE VOUCHER #65802 through 66000.

The following building permits previously approved by the building official were approved:

Gary and Jayni Blough
209 East Main Street
Garage Remodel
\$7,000

Harold and Leona Peterson
202 Elaine Avenue
Dwelling
\$90,000

Bruce and Kathy Knieff
806 Southview Court West
Three-Unit Apartment
\$140,000

Jon and Pat Mellenthin
600 East Main Street
Demolish Structure
\$0

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True Value Home Center
304 Sunrise Lane
Basement Remodel
\$11,000

Michael A. DeBoer
620 West Main Street
Bathroom Remodel and Replace Doors
\$3,250

Geske Building & Supply
616 Kathryn Avenue
Reside Dwelling and Garage
\$6,500

Murray Sullivan
113½ South First Street
Entry Door
\$1,100

Lynn M. Goltz
409 South Whitney Street
Reroof Garage and Install Overhead Door
\$900

Sussner Construction
300 South Bruce Street
Interior Demolition
\$0

Gary Johnson
600 Charles Avenue
Interior Remodel
\$4,500

True Value Home Center
1118 Horizon Drive
Family Room and Remodel Bathroom
\$39,000

True Value Home Center
104 Elaine Avenue
Dwelling
\$90,000

Independent Lumber
1301 Englewood Road
Dwelling
\$155,000

Marv Williams
105 South Whitney Street
Install Chimney
\$1,200

John Bunge
113 Circle Drive
Sunroom - Additional Work
\$9,200

Doug Schuttler
109 South 10th Street
Reside Dwelling, Replace Windows and
Garage
\$15,000

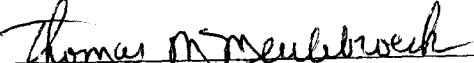
Bladholm Construction
1501 State Street
Cooling Tower Replacement
\$160,000

Upon motion made by Doyle and seconded by Roggeman, the meeting was adjourned.
All voted aye.



Mayor of the City of Marshall, Minnesota

ATTEST:



Finance Director/City Clerk

LOCAL BOARD OF REVIEW - MAY 6, 1996

A continuation of the Local Board of Review was called to order at 7:10 P.M. by Mayor Byrnes in the Council Chambers of the Marshall Municipal Building. In addition to Byrnes, the following members were present: Doyle, Robley, Roggeman, Boedigheimer and Stores. Absent: Edblom. Also in attendance at the meeting were city staff members Carol Snyder, Michael Johnson and Thomas Meulebroeck.

Mayor Byrnes indicated that the purpose of this meeting was to receive the City Assessor's report concerning the 1996 Board of Review appeals that were received at the meeting held on April 22, 1996.

Carol Snyder was in attendance at the meeting on behalf of the City Assessor who could not attend the meeting. Doyle moved, Roggeman seconded, the City Assessor Cal Barnett's report on the Board of Review be accepted as presented. This report provides for no change in the properties value for those persons who appeared in person, by representative or letter at the 1996 Local Board of Review including Norm Postera, 604 Soucy Drive; Kathy Dahl, 414 Mason Street; Allan and Janice Paul, 1219 Prospect Road; Eloi Soenon, 607 Lawrence Street, Pat Surprenant, 400 E. Marshall Street; and Delores Huber, 700 South 2nd Street; that there be no change in the property value at 310 West College Drive owned by Julita Blaufuss and the property at 612 West Main Street owned by Erich Blaufuss since no responses were received in regard to the City Assessors inquiries.

In response to the inquiries made to the City Assessors office prior to the Local Board of Review the following changes were recommended:

- 1204 Horizon Drive - no change
- 106 Circle Drive - classification change to nonhomestead
- 1009 Dano Circle - classification change to homestead
- 206 East Redwood - the value be reduced from \$75,300 to \$72,300
- 910 Boxelder - the value be reduced from \$63,400 to \$59,500
- 316 South 6th St - the value be reduced from \$48,000 to \$44,200
- 301 Jean St - the value be reduced from \$101,600 to \$96,800
- 1217 East Lyon St - the value be reduced from \$130,600 to \$127,400
- 405 East Marshall St - the value be reduced from \$133,600 to \$130,100
- 414 Legion Field Road - the value be reduced from \$104,000 to \$97,400

All voted in favor of the motion.

With no further business brought before the Local Board of Review, Stores moved, Roggeman seconded, the meeting be adjourned. All voted in favor of the motion.

REGULAR MEETING - MAY 6, 1996

The regular meeting of the Common Council of the City of Marshall was held on May 6, 1996. The meeting was called to order at 7:30 P.M. by Mayor Byrnes. In addition to Byrnes, the following members were present: Robley, Doyle, Edblom, Roggeman, Boedigheimer and Stores. Absent: none.

The Pledge of Allegiance was recited at this time.

It was the general consensus of the City Council that the agenda be approved with the addition of item no. 20a, which was the consideration of a resolution providing for the part-time police officer to be included under the Police and Fire PERA and granting the individual the power of arrest.

Robley moved, Edblom seconded, the approval of the minutes of the regular meeting held on April 15, 1996 and the minutes of the Board of Review held on April 22, 1996 as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

This was the date and time set for a public hearing to consider the preliminary plat of Minnesota Corn Processors Industrial Park First Addition. Keith Nelson, Director of Public Works/City Engineer, briefly reviewed the preliminary plat with those in attendance at the meeting. The plat is for the former wastewater treatment plant pond located along North 7th Street. With no questions or concerns brought before the public hearing, Doyle moved, Roggeman seconded, the public hearing be closed. All voted in favor of the motion.

Robley moved, Roggeman seconded, the preliminary plat for the Minnesota Corn Processors Industrial Park First Addition be approved as presented. All voted in favor of the motion.

This was the date and time set for a public hearing on the preliminary plat for Westwood Acres Plat No. 5. Keith Nelson, Director of Public Works/City Engineer briefly reviewed the preliminary plat with those in attendance at the meeting. This plat consists of one lot in Plat No. 1 and 3 lots in Plat No. 2 which was combined with 64' of property between Lot 3, Block 1 in Plat No. 2 and the well site. This was the replat for lots adding 15' to each lot as was originally platted. With no questions or concerns brought before the public hearing, Robley moved, Roggeman seconded, the public hearing be closed and that the preliminary plat for Westwood Acres Plat No. 5 be approved as presented. All voted in favor of the motion.

This was the date and time set for a public hearing to consider the rezoning of McLaughlin Industrial Park, Block 1, Lot 4 from I-1 Limited Industry District to B-3 General Business District at 1200 West Main Street as requested by D. C. McFarland, Jr. agent for the 5968 Company. With no questions or concerns brought before the public hearing, Roggeman moved, Edblom seconded, the public hearing be closed. All voted in favor of the motion.

Edblom moved, Stores seconded, the introduction of the ordinance to rezone Block 1, Lot 4, McLaughlin Industrial Park from I-1 Limited Industry District to B-3 General Business District at 1200 West Main Street. All voted in favor of the motion.

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Edblom moved, Doyle seconded, the motion to introduce the ordinance for the rezoning of McLaughlin Industrial Park Lot 1, Block 4 from I-1 Limited Industry District to B-3 General Business District at 1200 West Main Street be rescinded and that ORDINANCE NUMBER 359, SECOND SERIES be adopted to allow for the rezoning of McLaughlin Industrial Park Lot 1, Block 4 from I-1 Limited Industry District to B-3 General Business District at 1200 West Main Street. All voted in favor of the motion.

Greg Issackson, Clerk/Administrator for the City of Cottonwood; Tim Fruin, Mayor of Cottonwood; and Terry Dieken owner of Extreme Panels; were in attendance at the meeting. Mr. Issackson on behalf of the City of Cottonwood and Extreme Panels expressed his appreciation and gratitude to the City of Marshall and the Economic Development Authority for the loan that was granted to Terry Dieken DBA Extreme Panels for the Economic Development Project. Mr. Dieken expressed a sincere thank you to the City of Marshall and the EDA for the loan that was granted to his business and extended an invitation to the mayor and councilmembers to visit his facility, Extreme Panels. Mr. Dieken provided a brief explanation of the type of business that is performed at Extreme Panels.

Bruce Firkins from Bolton and Menk Engineer Firm, was in attendance at the meeting to provide information in regard to the Engineer's Preliminary Report for the improvement of County Ditch No. 62. Mr. Firkin reviewed the history of Ditch 62, provided a project recap of the what the proposed improvements are and the estimated construction costs to undertake these improvements. A public hearing will be held by Lyon County on May 28, 1996 at 7:00 o'clock P.M. to consider the proposed improvements. Since this information was for information purpose only, there was no action taken by the city council.

Kurt Keena from the Public Housing and Rick Goodemann of the SW MN Housing Partnership were in attendance at the meeting to discuss with the council a Down Payment Assistance Program and the consideration of a HRA Tax Levy. Mr. Keena and Mr. Goodemann presented an overview of the Down Payment Assistance Program for the City of Marshall and were requesting the city to participate in the initial funding of the program in the amount of approximately \$10,000. It is their hope to raise approximately \$40,000 to \$50,000 from local sources. If they are successful in raising the local sources, they would then solicit matching dollars from the state and various foundations to have a fund of approximately \$100,000 for the City of Marshall Down Payment Assistance Program. Mr. Keena and Mr. Goodemann also reviewed with the council the possibility of a tax levy for the HRA. Mr. Keena indicated that requests for funding for the Comprehensive Housing Assessment and Small Cities Housing Preservation Grant application have already been received. Mr. Keena indicated that the Housing Assessment is a tool that will need updating on a regular basis to remain viable and that if a Small Cities Grant is received additional costs will be associated with it as well as other activities in the housing area. In the past the city has provided some funding for the Mayor and Council Contingency Fund. If a levy was approved the rate is .0131% on taxable market value of the property in the city. Based on the total market value property in the City of Marshall of \$320,000,000 it would generate approximately \$42,000 through the levy. Some concerns were expressed in regard to the City of Marshall having an additional levy included

REGULAR MEETING - MAY 6, 1996

on the tax roll. It was consensus of the city council that a tax levy for the HRA be placed on the next regular city council meeting to be held on May 20, 1996.

Various documents were presented to the City Council for the 1996 Marshall Airport Improvement Project which also included the breakdown of the project costs and the project funding. The total estimated 1996 Airport Improvement Project costs is \$1,837,763. David Tholen, a representative from the Airport Commission, was in attendance at the meeting and recognition was given to him for his efforts and his receiving of an award of excellence from the State of Minnesota Airport Commission.

Roggeman moved, Doyle seconded, the approval of a Grant Agreement with the Federal Aviation Administration for their share of the 1996 improvements at the Marshall Municipal Airport and that the proper city personnel be authorized to execute this document. This agreement provides for the federal contribution of this construction project in the amount of \$923,846. All voted in favor of the motion.

Stores moved, Roggeman seconded, the proper city personnel be authorized to execute an agreement with the State of Minnesota for the state's financial assistance for the airport improvement projects. This agreement provides for the State of Minnesota's contribution for this construction project in the amount of \$512,554. All voted in favor of the motion.

Doyle moved, Stores seconded, the proper city personnel be authorized to execute an agreement amendment with the State of Minnesota for Agreement No. 70436 which provides for the State of Minnesota to pay 2/3 of the cost for the preliminary and design phase, construction and testing engineering services for the 1996 construction project. This amendment provides for the state to encumber an additional \$141,175.34. All voted in favor of the motion.

Edblom moved, Roggeman seconded, the proper city personnel be authorized to execute the construction contract between the City of Marshall and McLaughlin and Schulz for the 1996 Airport Improvement Project. The total cost of the construction is estimated to be \$1,595,012.05. All voted in favor of the motion, except Robley who abstained.

Stores moved, Roggeman seconded, the proper city personnel be authorized to execute the proposal for American Engineer Testing, Inc., for the construction testing services at the Marshall Municipal Airport. The estimated cost for the construction testing services is \$16,763, which the State of Minnesota will be reimbursing the City 2/3 of this cost under the Airport Improvement Project. All voted in favor of the motion.

City Attorney Brian Murphy reviewed with the city council the resolution and procedure for determining the necessity for and authorizing the acquisition of certain property by preceding in imminent domain. This resolution pertains to the roadway (South 4th Street) between Elaine Street and the Highway 23 Bypass. Mr. Murphy indicated that it is the request of MSP to install a waterline across the road by June or July of 1996. Stores moved, Edblom seconded, the adoption of RESOLUTION NUMBER 1897, SECOND SERIES and that the reading of the same be waived.

REGULAR MEETING - MAY 6, 1996

Resolution Number 1897, Second Series is a resolution determining the necessity for and authorizing the acquisition of certain property by proceedings in Immanent domain for the roadway (South 4th Street) from Elaine Street to Highway 23 bypass and that this condemnation of property be resolved in the most kind and quickest procedure. All voted in favor of the motion.

Boedigheimer moved, Byrnes seconded, that the city attorney and proper city personnel be authorized to negotiate a reasonable offer for this parcel of property, considered South 4th Street from Elaine Street to Hwy 23 bypass. All voted in favor of the motion.

Mayor Byrnes called for a 5 minute recess.

Roggeman moved, Doyle seconded, the proper city personnel be authorized to advertise for bids for the Wastewater Clarifier repair project. This project includes weirs, baffles and grating and also some concrete repairs for the effluent boxes associated with the clarifiers. The preliminary estimates for these improvements is between \$55,000 and \$60,000. The bid letting is proposed for June 11, 1996 and it is the intent that these improvements would be completed by December 1, 1996. All voted in favor of the motion.

Bids were received, opened and read at 2:00 o'clock P.M. on April 26, 1996 in the Council Chamber of the Marshall Municipal Building for a 1996 pickup for the street department and the trade in of a 1985 Chevy Cavalier from the engineering department. The bid that was received, opened and read was from Tholen Auto Sales, Marshall, Minnesota for a 1996 pickup truck including the trade in of a 1985 Chevy Cavalier from the engineering department for a net bid of \$19,941.79. A proposal was received for the purchase of a 4-wheel drive pickup only with no trade in the amount of \$20,580.79. Some of the local dealers were no longer able to provide a 1996 pickup as included in the specifications, therefore Boedigheimer moved, Robley seconded, the bids received be rejected and a rebid of a pickup truck for the street department be considered at a later date. All voted in favor of the motion.

Boedigheimer moved, Roggeman seconded, the proper city personnel be authorized to execute amendment no. 1 to contract no. 73747 between the Minnesota Department of Transportation and the City of Marshall for the state's participation in providing state and federal funds for the operation of the City of Marshall transit for the hours to be extended to 5:30 A.M. to 11:00 P.M. Monday through Thursday, from 5:30 A.M. Friday to 2:00 o'clock A.M. Saturday, from 10:00 A.M. Saturday to 2:00 o'clock A.M. Sunday. All voted in favor of the motion.

Edblom moved Doyle seconded, permission be granted to close Main Street from "C" Street to 6th Street on June 9, 1996 at 12:30 P.M. and until the American Legion Parade is completed. Permission has been granted from the Minnesota Department of Transportation to close Main Street for the American Legion Parade on June 9, 1996. All voted in favor of the motion.

Per the approval of the Minnesota Department of Transportation, Robley moved, Stores seconded, Main Street be closed from College Drive to 6th Street on July 18, 1996 from 6:00 A.M. to 6:00 P.M. for the observance of the annual Crazy Days celebration. The closing of Main Street

REGULAR MEETING - MAY 6, 1996

was at the request of the Marshall Chamber of Commerce and they have agreed to reimburse the City of Marshall \$275 for the city's expense of putting up and taking down the necessary signs to detour Main Street. All voted in favor of the motion.

Stores moved, Robley seconded, the proper city personnel be authorized to make arrangements with an auctioneer and establish a date with the auctioneer for the sale of surplus city property including vehicles and bicycles. All voted in favor of the motion.

Doyle moved, Roggeman seconded, the approval of a transient merchants license for Tap Enterprises Inc., to sell tools and related merchandise at the Lyon County Fairgrounds. This license is for the calendar year 1996 and is issued at a fee of \$250. All voted in favor of the motion.

Stores moved, Roggeman seconded, the approval of a transient merchants license for the Country Stop Inc., to sell fresh produce at the Dairy Queen parking lot on East College Drive. This license is for the year 1996 and is issued at a fee of \$250. All voted in favor of the motion.

Roggeman moved, Stores seconded, the approval of an on-sale non-intoxicating beer license for the Mongeau-Tholen VFW Post 742 for 3 months from May 15, 1996 to August 15, 1996 at a fee of \$25.00 per month for a total of \$75 and also the approval of a tobacco license at a fee of \$48.00 for the Mongeau-Tholen VFW Post 742 for operations at the Lyon County Fairground. All voted in favor of the motion.

Stores moved, Edblom seconded, the approval of an on-sale non-intoxicating beer license for the Marshall Baseball Association. This license is for the three month period May 15, 1996 to August 15, 1996 at a fee of \$25 per for month for a total of \$75. This license is approved contingent upon the City of Marshall receiving a certificate of insurance. All voted in favor of the motion.

Stores moved, Roggeman seconded, a special vehicle license be granted to Robert Egly, James Zmeskal and Jack Schroeder to operate a golf cart type vehicle on designated streets within the City of Marshall. These licenses are for the calendar year 1996 and are issued at a fee of \$25.00. All voted in favor of the motion.

Upon the recommendation of the Director of Public Safety, Marvin Bahn, Stores moved, Doyle seconded, that Kathryn Bresson be employed as a part-time Police Officer with the City of Marshall at the rate of \$12.36 per hour effective April 8, 1996. The following resolution was adopted: BE IT RESOLVED that Kathryn Bresson be a duly appointed, qualified and acting part-time police officer for the City of Marshall, Minnesota, possessing the power or 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 of protecting the safety and property of others and said employee shall become a member of the Public Employees Retirement Association Police and Fire Fund. All voted in favor of the motion.

REGULAR MEETING - MAY 6, 1996

Reports by the Mayor and councilmembers of the various committees, commissions and boards were presented at this time:

Byrnes EDA - the minutes of their meeting were included in the agenda packet, items of importance that were discussed were the loaning funds to the City of Marshall to help finance the airport improvement project and the presentation by Rick Goodemann from the SW MN Housing Partnership on the Down Payment Assistance Program.

RDC - a number of meetings were held in which the building of the facility within the City of Slayton for the SW Regional Development were discussed. The RDC fiscal year is July through June and as a representative serving on the Personnel Committee for the RDC Mr. Byrnes indicated that the RDC has frozen the 96/97 salaries for the employees, but some adjustments will be granted based on performance for the year and at the conclusion of the year their salary will revert back to the amount they were froze at for 96/97.

Roggeman Housing Commission - the proposal from Kurt Keena and Rick Goodemann on the Down Payment Assistance Program was reviewed.

Planning Commission - will be meeting on May 8, 1996.

Community Services Board - Vern Garbe provided a presentation for a Parkside project at Independence Park as it relates to an environmental project. A presentation was also made for playground equipment at Independence Park. Summer registration will be held on May 6, 1996 at the Marshall High School.

Stores Marshall Celebrate Committee - Jim Tate from the Marshall Independent did meet with the committee.

Edblom No report.

Boedigheimer Human Rights Commission - did hold a meeting at the Marshall High School and met with approximately 200 students. Representatives from their committee have been meeting with smaller groups from the high school.

Airport Commission, Senior Citizen Commission, and Joint Law Enforcement Commission have upcoming meetings.

Robley Fire Department - will have a upcoming meeting, the retirement of Randy Rickard was announced.

Lyon County Enterprise - Ivan Anderson will be resigning effective July 1, 1996.

REGULAR MEETING - MAY 6, 1996

Doyle Insurance Advisory Committee has not met and the minutes for the Marshall Lyon County Library board were included in the agenda packet.

Other items of concern brought forth by the Mayor and councilmembers included: a brief discussion in regard to the notice from the Chamber of Commerce on the Leadership Program, an expression of appreciation for the tour that was provided by the Wastewater Treatment Personnel in regard to the improvements that have been done at the lift station, the reminder of a public hearing to be held on May 9, 1996 at 7 P.M. on the Housing Rehabilitation for a Small Cities Block Grant, the public hearing that was held in regard to cooperation with other communities received very favorable comments.

In regard to the pending agenda items a public hearing on the comprehensive plan is being considered with DSU; a date needs to be established for the US Army Corp of Engineers flow agreement and a concern was expressed in regard to the improvements on Bruce Street as they relate to Ditch 62.

Doyle moved, Stores seconded, and it was unanimously approved that the following bills be approved: VOUCHER NO. 66001 through 66184.

The following building permits previously approved by the Building Official were confirmed:

Nick and Linnea Lasnetski
313 East Lyon Street
Finish Basement
\$600

Robert L. Carr
401 South Hill Street
20-Unit Apartment
\$370,000

Bruce Robinson
917 West Main Street
Shop Addition
\$5,000

Jeff Thompson
902 Elaine Avenue
Garage
\$11,000

True Value Home Center
206 North Whitney Street
Garage
\$11,900

Brian Marks
206 East Redwood Street
Finish Basement
\$700

Hess Properties
1411 East College Drive
Interior Remodel
\$1,500

Donald Edblom
410 South Hill Street
Remove Chimney
\$0

Russell Dulek
417 North 6th Street
Reroof Dwelling
\$3,700

Lyon County Cooperative
1100 East Main Street
Signs
\$4,200

REGULAR MEETING - MAY 6, 1996

Southwest Investments, Inc.
108 East Main Street
Remodel Apartment
\$15,000

Glenn Johnson
102 West Main Street
Reroof
\$8,800

Steve Meyer
1604 North Highway 59
Replace Steps
\$500

Babcock Construction
505 Thomas Avenue
Reside Dwelling
\$3,400

Rick Slagel
604 Charles Avenue
Reroof Dwelling
\$4,000

Babcock Construction
703 Brian Street
Exterior Remodeling
\$7,600

Bladholm Construction
704 West College Drive
Warehouse
\$27,000

David A. Meier
1102 South 2nd Street
Duplex
\$129,000

Robert St. Aubin
904 West College Drive
Demolish Depot
\$0

Tholen House Account
106 South 11th Street
Exterior Remodeling
\$4,500

Haugen Construction
208 Legion Field Road
Dwelling
\$60,000

David Spartz
400 East Main Street
Interior Remodeling -- Additional Work
\$8,000

Schaefer Woodworks
207 North 6th Street
Reside Dwelling
\$10,000

Bladholm Construction
1200 East Lyon Street
Service Building
\$51,400

Alan & Mary Roth
1207 Patricia Court West
Dwelling
\$74,000

Schlenner Construction
1303 Englewood Road
Dwelling
\$235,000

Allen Bossuyt
306 East Redwood Street
Replace Deck
\$2,000

Hisken Construction
500 Charles Avenue
Garage and Exterior & Interior Remodel
\$38,800

REGULAR MEETING - MAY 6, 1996

Jim and Sue Paradis
621 Donita Avenue
Install Egress Windows
\$1,000

Steve Baumann Construction
110 West Southview Drive
Reroof and Reside Dwelling
\$6,500

Bruce Robinson
917 West Main Street
Shop Addition -- Additional Work
\$7,000

Independent Lumber
402 East Lyon Street
Sunroom and Deck
\$23,000

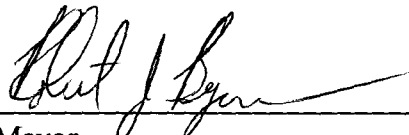
George J. Jacob Building & Remodeling
901 Oak Street
Remodel Warehouse Roof
\$11,200

Hans Zahrbock
303 Elaine Avenue
Deck
\$900

Rick and Denise Vierstraete
711 South Bend Avenue
Demolish Garage
\$0

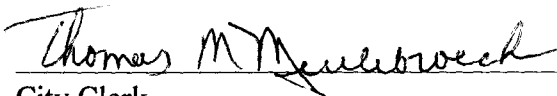
Rick and Denise Vierstraete
711 South Bend Avenue
Garage
\$10,000

Upon motion made by Roggeman, seconded by Stores, the meeting was adjourned. All voted aye.



Mayor

ATTEST:



City Clerk

REGULAR MEETING - MAY 20, 1996

The regular meeting of the Common Council of the City of Marshall was held on May 20, 1996. The meeting was called to order at 7:30 p.m. by Mayor Byrnes. In addition to Byrnes, the following members were present: Robley, Doyle, Edblom, Roggeman, Boedigheimer and Stores. Absent: None.

The Pledge of Allegiance was recited at this time.

It was the general consensus of the City Council that the agenda be approved as presented.

Roggeman moved, Doyle seconded, that the minutes of regular meeting held on May 6, 1996 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Robley moved, Roggeman seconded, a conditional use permit for an 11-unit apartment in a B-3 General Business District/Downtown District be granted to Greg Taylor, J. F. Taylor & Sons, Inc. at 105 South First Street with the condition that 1) a permanent easement be acquired for three additional parking spaces which is signed by both the apartment owner and the owner providing spaces. Access to First Street will be granted for three garage driveways provided they are located at the southwest end of the proposed rows of garages and 2) the owner agrees to have the additional off-street parking spaces as described on condition #1 available prior to rental of the three additional proposed apartments. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Stores moved, Doyle seconded, the request of Greg Bladholm to rezone a portion of his property at 704 West College Drive from R-3 Low to Medium Density-Multiple Family Residence District to I-1 Limited Industry District be denied. All voted in favor of the motion except Boedigheimer who abstained.

Gary and Marjory Becker were in attendance at the meeting to discuss with the Council their request for a variance adjustment permit to construct a detached garage with a rear yard setback of 6 feet in lieu 9 feet as required by City ordinance for a garage at 111 Park Avenue. Mr. Becker indicated to the Council that he did have a survey done of the alley and it was determined to be a distance of 16 feet between the fences in the alleyway that goes adjacent to his rear yard. Keith Nelson, City Engineer, had indicated to the Planning Commission that per the City plat for this area the width of this alley is 12 feet therefore, the information that was provided to the Planning Commission is different in that is being provided by Mr. Becker at this time. The Planning Commission had considered this request and it was denied at their meeting held on May 8, 1996. Based on the information that was provided to the City Council by Mr. Becker, Robley moved, Stores seconded, that a variance adjustment permit for a rear yard setback of 6 feet in lieu of 9 feet as required by City ordinance be granted to Gary and Marjory Becker at 111 Park Avenue for the construction of a detached garage. All voted in favor of the motion except Edblom who abstained.

Edblom moved, Roggeman seconded, the adoption of RESOLUTION NUMBER 1898, SECOND SERIES, and the reading of the same be waived. Resolution Number 1898, Second Series, is a resolution approving the final plat for Calvary Baptist Church Addition. This plat consists of one

REGULAR MEETING - MAY 20, 1996

lot in block 1. All voted in favor of the motion.

Kurt Keena was in attendance at the meeting to discuss with the City Council the status of the Down Payment Assistance Program as had been previously discussed with the City Council. Mr. Keena and Rick Goodemann, Southwest Minnesota Housing Partnership, did make a presentation on the program to the Lyon County Commissioners and it was determined that they were generally supportive but they did have the same concern that the City had and that was the source of funding for this program. Following the various presentations that Mr. Keena and Mr. Goodemann had made, they gathered the information and now have a different approach in regard to the Down Payment Assistance Program for the area. The approach they are presenting is to request the City of Marshall and Lyon County to each pledge \$15,000 for a total of \$30,000 to the program in the form of a challenge grant. Mr. Keena and Goodeman would then make presentations on the program to other communities in the County and if they are interested in participating they would ask them to make a pledge to the fund as well. The pledges would become due at the time there are enough communities who agree to participate in the program. The dollars could come from the current fiscal year or incorporate it into the next fiscal years budget. If Mr. Keena and Mr. Goodemann are successful in getting the funds that are needed they would then seek matching dollars from the State and various foundations to fully capitalize the fund. If there is not enough interest to gather the necessary funds the City and County may withdraw their pledges if they desire. Mr. Keena indicated that they would need approximately \$60,000 before they would go beyond the County to seek additional funding for this program. Mr. Keena also indicated that they would like to have approximately \$100,000 in the fund for this program to be effective. Mr. Keena did briefly review the process of getting a loan through this program. Roggeman moved, Stores seconded, that the City of Marshall pledge \$15,000 to the Down Payment Assistance Program. Mr. Robley made a friendly amendment to this motion indicating that the pledge is contingent based on the ability of accumulating \$60,000 from the public and private revenue sources within Lyon County. This motion was made with the understanding that the \$15,000 would be transferred from the Mayor and Council Contingency (101-401401-6810) to 101-401401-3301 in the 1996 budget. All voted in favor of the motion except Robley who voted no.

Thomas M. Meulebroeck, Finance Director/City Clerk, had provided to the Public Improvement/Transportation Committee a recap of the ridership for the hours of the Marshall Transit on Sundays from 8:00 a.m. to 12:00 p.m. and from 6:00 p.m. to 10:00 p.m. for the period January 1, 1995 through October 15, 1995. Based on the ridership for this period time the estimated ridership for a year is approximately 884 riders. Assuming that theses riders generate a revenue fee of \$3.00 each the total revenues for the year would be estimated \$2,650. Per Tom Gottfried, Minnesota Department of Transportation Project Manager, the cost to operate the Marshall Transit is approximately \$18.50 per hour, therefore, the cost for operation for a year would be approximately \$8,177. Mr. Gottfried has advised the committee previously that the State would not participate in the funding of operations on Sundays, therefore, the loss for Sunday transit operations would be approximately \$5,500. Per a memo dated May 15, 1996 from Mr. Gottfried, he indicated that the utilization of the MNDOT subsidized vehicle would only approved during the operational hours, therefore, Roggeman moved, Doyle seconded, to approve the recommendation of the Public Improvement/Transportation Committee which was to not consider the operation of the transit system on Sundays. All voted in favor of the motion.

REGULAR MEETING - MAY 20, 1996

Reports by the Mayor and Councilmembers of the various committees, commissions and boards were presented at this time:

- Byrnes No report.
- Roggeman Community Services Board - registrations for the summer recreation programs was approximately 15 percent over last year. The pool is ready for operations June 1, 1996. The service building at Independence Park is nearly completed and the graduation of the GED was held with approximately 45 students completing the course.
- Stores Hospital Board - they have hired a new human resources person by the name of Brian Bohn and they are looking at the possibility of an adult daycare center. At the June meeting Brian Murphy will discuss patient's rights. The Round Hill Financial Group provided information to the Board on future funding on the hospital renovation. A new pediatrician will be on board at the Affiliated Med Center within the near future.
- Edblom Cable Commission - the committee was updated in regard to the US West challenge for the use of public right-of-ways and the utilizing of Cable 19. The membership to the committee is being more active. They will be focussing on the franchise agreement at future meetings. Utility Commission - did receive an update from the Minnesota Corn Processors in regard to their electric and water usage and how it effects the utilities. They have done some more testing on potential well sites. They will be doing a water rate study in the future.
- Boedigheimer Human Rights - the April 16 minutes are included in the Council agenda packet and he did indicate that two members of the Commission have met with groups of students from the high school. Senior Citizens Center Commission - has discussed the role of the commission. Joint Law Enforcement Center - a draft layout of the facility was unveiled and it is estimated that the project cost will be approximately one million dollars which does not include the equipment. It is anticipated that if the project continues occupancy will be approximately the 1st of 1998.
- Robley Lyon County Enterprise Development - did hold a special meeting to formulate an ad for the facilitator position.
- Doyle No reports.

Other items of concern brought forth by the Mayor and Councilmembers included: An advisement to the Council that the Personnel Committee did review the Drug and Alcohol Policy. The stop and go lights at the intersection of Main Street and East College Drive seem to be operating very slowly. A request of the Legislative and Ordinance Committee to review the City ordinances

REGULAR MEETING - MAY 20, 1996

on the availability of tobacco and the enforcement of underage use. Councilperson Stores indicated an interest in attending the community policing meeting. A concern was expressed in regard to a letter received from a local church group concerned with an adjacent car impound lot which is not believed to be in compliance. Mr. Nelson indicated that he would follow up and talk with the owners of the impound. The status of the NSF check policy that had previously been discussed by the City Council was addressed and that businesses are getting conflicting answers in regard to the policy. A request of the Legislative and Ordinance Committee to discuss abandon buildings and their appearance and a request was made that the Director of Public Safety present to the Council a report on the Emergency Disaster Plan.

Doyle moved, Stores seconded, and it was unanimously approved that the following bills be approved. ACCOUNTS PAYABLE VOUCHER #66185 through 66399.

The following building permits previously approved by the building official were confirmed:

Southwest Investments
601 Parkside Drive
Replace Door
\$1,500

True Value Home Center
502 North Minnesota
Deck
\$1,400

Donald W. Juhl
611 Elaine Avenue
Reside Dwelling
\$4,100

Sussner Construction
605 Ontario Road
Demolish Warehouse
\$0

Jane Malo
414 East Main Street
Reroof Garage
\$600

Sussner Construction
315 South 2nd Street
Office Remodeling -- Phase I
\$25,000

True Value Home Center
605 DeSchepper Street
Deck
\$2,200

Willis Blowers
105 Circle Drive
Porch
\$6,500

Great Plains Financial
550 South 4th Street
Office Remodel
\$12,000

Gary Vincent
423 North 5th Street
3-Car Garage
\$15,200

Susan Zvorak
633 Soucy Drive
Steps
\$100

Schaefer Woodworks
207 North 6th Street
Reside Dwelling-Additional Work
\$3,000

REGULAR MEETING - MAY 20, 1996

True Value Home Center
801 Lawrence Court
Dwelling
\$85,000

Vincent Buysse
606 Soucy Drive
Remodel Roof
\$200

Randall Hess
601 Highway 59 North
Interior Remodeling
\$2,000

Keith A. Nelson
607 Elaine Avenue
Remodel Bathroom
\$700

Craig West
210 Carrow Circle
Reroof
\$1,500

Geske Building & Supply
408 Lawrence Street
Siding and Install Window
\$12,000

ABC Seamless of Redwood Falls
110 Maple Street
Reside Dwelling and Garage
\$10,500

ABC Seamless of Redwood Falls
111 Circle Drive
Reside Dwelling and Install Front Entry Door
\$11,000

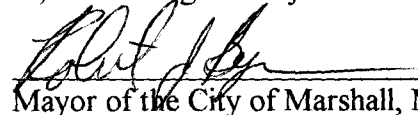
ABC Seamless of Redwood Falls
710 Oak Street
Reside, Window Replacement and Install
Door
\$17,000

Janet Esparza
405 Lawrence Street
E/R Window
\$300

Mike Johnson, City Administrator, asked if the City Council would be willing to meet at 6:15 p.m. on June 3, 1996 as a workshop to receive the audit report. The Council was in agreement to meet at this time.

A budget workshop retreat was scheduled for June 6, 1996 at 6:00 p.m.

Upon motion made by Doyle, seconded by Stores, the meeting was adjourned. All voted aye.



Mayor of the City of Marshall, MN

ATTEST:



Financial Director/City Clerk

SPECIAL MEETING - JUNE 3, 1996

A special meeting of the Common Council of the City of Marshall was held on June 3, 1996. The meeting was called to order at 6:00 p.m. by Mayor Byrnes in the Cottonwood Room of the Marshall Municipal Building. In addition to Byrnes, the following members were present: Edblom, Roggeman, Doyle and Stores. Absent: Robley and Boedigheimer.

The purpose of this special meeting was to allow the City of Marshall auditors Larson, Allen Weishair and Company to make a presentation and review of the 1995 Audit Report. Mike Johnson, City Administrator provided an overview of the process and working relationship with the auditor's for the 1995 audit. Thomas M. Meulebroeck, Finance Director/City Clerk, introduced Thomas Koop and Todd Wicklund from Larson, Allen, Weishair and Company to provide a presentation on the 1995 audit. Mr. Koop reviewed with those in attendance at the meeting the management letter that was prepared by Larson, Allen, Weishair and Company. The first item that Mr. Koop reviewed was a reportable condition as it relates to the recordkeeping of the City of Marshall general fixed assets. Other observations that Mr. Koop reviewed with the City which are not considered reportable conditions but comments that may help strengthen the City of Marshall's internal controls and operating efficiencies are the interest income allocation, investment policy, liquor store nsf checks, fund balance planning, City's computer system and the separation of duties in particular as they relate to the Marshall-Lyon County Library.

Following a review of the items in the management letter, Mr. Koop briefly reviewed the content of the audit report which had been previously provided to the City Council.

The meeting was adjourned at approximately 7:05 p.m.



Mayor of the City of Marshall, Minnesota

ATTEST:



Finance Director/City Clerk

REGULAR MEETING - JUNE 3, 1996

The regular meeting of the Common Council of the City of Marshall was held on June 3, 1996. The meeting was called to order at 7:33 p.m. by Mayor Byrnes in the Council Chambers of the Marshall Municipal Building. In addition to Byrnes, the following members were present: Robley, Doyle, Edblom, Roggeman and Stores. Absent: Boedigheimer.

The Pledge of Allegiance was recited at this time.

It was the general consensus of the City Council that the agenda be approved as presented.

Robley moved, Edblom seconded, that the minutes of the regular meeting held on May 20, 1996 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

Thomas Koop and Todd Wicklund, for Larson, Allen, Weishair and Company, auditors for the City of Marshall, were in attendance at the meeting to give a brief overview of the 1995 audit for the City of Marshall. A suggestion was made that the items in the management letter as presented at the 6:00 p.m. meeting be referred to the Ways and Means Committee for a followup. Doyle moved, Robley seconded, the 1995 City of Marshall Audit Report prepared by Larson, Allen, Weishair and Company be approved as presented. All voted in favor of the motion.

Kurt Keena, Housing Commission, was in attendance at the meeting and provided an update on the SCDP Housing Preservation Grant application. Mr. Keena indicated that approximately 327 usable surveys had been returned. These surveys have been targeted for five different areas in the City of Marshall. In order for the grant application to proceed additional surveys need to be returned from each of the different areas.

Mike Johnson, City Administrator, briefly reviewed the program and policy for Substance Abuse Prevention Program for Drugs and Alcohol which has been prepared in compliance with the Federal Government's Substance Abuse Prevention Program for Drugs and Alcohol. This policy has been reviewed by the Personnel Committee of the City of Marshall. This policy pertains to primarily those personnel who are required to hold a commercial drivers license. This program is being implemented through a consortium with other Municipal Utilities and local governments through the Minnesota Municipal Utilities Association Drug and Alcohol Testing Consortium. Gregg Swanson from the Engineering Department has been designated as the City's Drug and Alcohol Coordinator. The coordination and oversight of the program will be maintained by the City Administrator's Office with the majority of the duties being carried out by the Drug and Alcohol Coordinator. The Federal government regulations set the alcohol concentration level at .04. The Personnel Committee did review this and did recommend that the City policy provide for the alcohol concentration level to be set at .02. Per the recommendation of the Personnel Committee, Roggeman moved, Stores seconded, the program and policy for Substance Abuse Prevention Program for Drugs and Alcohol be approved with the alcohol concentration level being set at .02. All voted in favor of the motion.

REGULAR MEETING - JUNE 3, 1996

Upon the recommendation of Mayor Byrnes, Roggeman moved, Edblom seconded, and it was unanimously approved that the following individuals be reappointed or appointed to the City of Marshall boards and commissions:

Airport Commission - David Tholen and Karl Porisch each reappointed for three year terms to expire May 31, 1999.

Cable Commission - Robin Chaney was appointed a two year term to expire May 31, 1998 and Larry Murphy was appointed to a three year term to expire May 31, 1999.

Hospital Board - Randy Serreyn was reappointed to a five year term to expire May 31, 2001.

Housing Commission - Sean Carmody was reappointed to a five year term to expire May 31, 2001 and Jerry Parker was appointed to a one year term to expire May 31, 1997.

Human Rights Commission - Karen Mullin was appointed to a one year term to expire May 31, 1997 and Jill Verkinderen was appointed to a three year term to expire May 31, 1999.

Insurance Advisory Commission - Peggy Hubbard was appointed to a three year term to expire May 31, 1999.

Planning Commission - Larry Doom, Dave Larson and Kip Sillers were each reappointed to a three year term to expire May 31, 1999.

Police Civil Service Commission - Tom Hill was reappointed to a three year term to expire May 31, 1999.

Senior Citizens Center Commission - Barb Labat was reappointed to a three year term to expire on May 31, 1999.

Since there were no appointments made to the Economic Development, Municipal Utilities Commission and there was an additional vacancy on the Senior Citizens Center Commission, authorization was granted to advertise for the positions on these boards.

Stores moved, Edblom seconded, authorization be granted to Hy-Fee Food Stores to purchase fireworks for display purposes on July 4, 1996 at the Marshall Independence Park. The display will be held at approximately 9:30 p.m. Hy-Vee Food Store and the Community Service Department of the City of Marshall will be making arrangements with the Marshall Volunteer Fire Department for the fireworks display. The fireworks display was granted contingent upon the City of Marshall receiving adequate insurance coverage through the City of Marshall insurance carrier. All voted in favor of the motion.

REGULAR MEETING - JUNE 3, 1996

Reports by the Mayor and Councilmembers of the various committees, commissions and boards were presented at this time:

Byrnes	<u>EDA</u> - the minutes from the most recent meeting were included with the Council agenda packet. <u>RDC</u> - did hold a meeting and discussed various projects which the commission is involved with.
Roggeman	<u>Housing Commission</u> - Kurt Keena was in attendance at the meeting to discuss with the Council the SCDP Housing Preservation Grant Application. <u>Planning Commission</u> - will hold a public hearing on the Comprehensive Plan at their meeting to be held on June 5, 1996. <u>Community Services Board</u> - will hold its annual tour of its parks and facilities on June 5, 1996.
Stores	<u>Ways and Means Committee</u> - needs to schedule a meeting. <u>Marshall Celebrates 125th Anniversary Committee</u> - continues to hold its small committee meetings on various segments of the celebration.
Edblom	<u>Convention and Visitors Bureau</u> - the dollar amount collected is approximately 30 percent over budgeted. It is anticipated that a portion of this is due to the personnel residing in the City of Marshall for the MCP construction. The TRAM Project plans are finalized and plans are on target for this event.
Robley	No reports.
Doyle	No reports.

Other items of concern brought forth by the Mayor and Councilmembers included: A request for the Administrator's Office to include with the packet of interviews for boards and commissions a note as to why an incumbent is scheduled for an interview for the boards and commission. Favorable comments were received in regard to the Shades of the Past display on 3rd Street and in the museum for their event on the first weekend of June 1996. A concern with the trimming of trees has been referred to the proper City personnel. Mayor Byrnes commended the City Councilmembers for their attendance at the number of meetings held recently as they relate to various events with the City of Marshall.

Doyle moved, Edblom seconded, and it was unanimously approved that the following bills be approved for payment: ACCOUNTS PAYABLE VOUCHER # 66399 through 66542.

REGULAR MEETING - JUNE 3, 1996

The following building permits previously approved by the building official were confirmed:

Marshall Spas & Pools
605 South Bruce Street
Sunroom
\$11,500

Sussner Construction
303 O'Connell Street
Office Building
\$190,000

Jon Mohn
401½ North 3rd Street
Reroof Apartment
\$2,000

Bakke's Home Repair and Construction
701 North 6th Street
Install Windows and Doors
\$3,000

Robert and Carolyn Hirmer
308 Walnut Street
Kitchen and Bathroom Remodel
\$3,500

Minnesota Valley Bank
301 Baseline Road
Sign Installation
\$34,400

Craig Stibbe
403 North 3rd Street
Interior Remodeling
\$3,000

Weldon and Shirley Powelson
407 North 7th Street
Reroof Dwelling
\$1,000

Dulas Construction
500 South Saratoga Street
Church Addition
\$180,000

Steven J. Hawker
1501 Westwood Drive
Egress Window
\$1,300

Bruce and Linda Saugstad
606 Prospect Circle
Deck
\$500

Babcock Construction
600 Paul Street
Reside Garage
\$1,800

James Marshall
102 South High Street
Finish Dormer
\$3,000

Karl Campbell Construction
906 Birch Street
Reroof
\$3,200

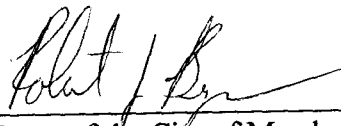
Lawrence A. and Barbara G. Henle
605 Paul Street
Garage
\$14,500

Marvin Bahn, Director of Public Safety, was in attendance at the meeting to update the City Council and other in attendance at the meeting on the City of Marshall's Emergency Disaster Preparation Plan. Marv provided a map of the City of Marshall showing the location of the various

REGULAR MEETING - JUNE 3, 1996

warning sirens and the areas that each of these cover. Mr. Bahn indicated that of the seven sirens there are five that are voice activated sirens. Mr. Bahn did indicate that the sirens are designed for outdoor and not necessarily for people indoors therefore that explains why individuals indoors do not always hear the sirens. Mr. Bahn also indicated that Sergeant Rademacher has been designated as the assistance civil defense director. Mr. Bahn does to work with the Lyon County Civil Defense Director, Tammy VanOverbeke, and personnel from the ambulance service in regard to the Emergency Disaster Plan.

Upon motion made by Edblom, seconded, by Roggeman, the meeting was adjourned. All voted aye.



Mayor of the City of Marshall, Minnesota

ATTEST:

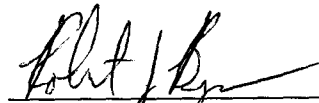

Finance Director/City Clerk

SPECIAL MEETING - JUNE 17, 1996

A special meeting of the Common Council of the City of Marshall was held on June 17, 1996. The meeting was called to order at 6:30 p.m. by Mayor Byrnes in the Cottonwood Room of the Marshall Municipal Building. In addition to Byrnes, the following members were present: Doyle, Roggeman, Boedigheimer and Stores. Absent: Robley and Edblom.

The purpose of this special meeting was to discuss the League of Minnesota Cities 1996 Annual Conference Meeting Sessions. Some of the sessions that were discussed at this special meeting included: adult entertainment and first amendment rights; using your computer; planning for development; responding to citizen request; communicating with your citizens; how to run and effective meeting; dealing with intolerance; telecommunications; managing the title waive; supporting positive responses to the growing teenage population; what every City needs to know about mandated drug and alcohol testing; is your City ready for commercial or industrial development; the annual meeting; and a general session on the balancing act of work and family.

The discussion on the various sessions concluded at 7:25 p.m.



Mayor of the City of Marshall, Minnesota

ATTEST:



Finance Director/City Clerk

SPECIAL MEETING - JUNE 6, 1996

A special workshop meeting of the Common Council of the City of Marshall was held on June 6, 1996. The meeting was called to order at 6:00 P.M. by Mayor Byrnes in the Board Room of the Marshall Municipal Utilities Building. In addition to Byrnes, the following Council members were present: Doyle, Edblom, Roggeman, Stores. Absent: Boedigheimer, Robley. City staff in attendance included: City Engineer/Director of Public Works Nelson, Public Safety Director Bahn, Community Services Director Weilage, Street Superintendent Herigon, Finance Director/City Clerk Meulebroeck, City Assessor Barnett, Library Director Bosshardt, and City Administrator Johnson.

The purpose of the meeting was to discuss budget planning, project planning and capital expenditures for the 1997 budget and for those projects/issues that would need to be initiated in 1997 for budget year 1998. As a backdrop for the meeting, City Administrator Johnson reviewed with the Council the results of the staff retreat that was held on May 8, 1996. As part of that staff retreat, the City Administrator reviewed departmental successes/accomplishments for the past 18 months (1995, 1996), organizational issues of concern to the City's management team, and specific City issues (by division) for 1997-1998. Additional materials provided to the City Council included various summaries of the 1996 budget summary and project wage/benefit cost estimates for 1997 based on various hypothetical situations.

The departmental successes/accomplishments that were reviewed covered public safety, community services, liquor store, public works (engineering, wastewater treatment plant, street, airport, building), finance, fire, city assessor/purchasing, city/county library and city administrator. The next item reviewed with the City Council pertained to organizational issues that were of primary concern to the City's management team. As summarized in the material provided to the Council, the primary issues were technology/computers, facility (future), prioritization - allocation of resources, pay compensation plan, and finishing the City reorganization.

City Administrator Johnson then reviewed the various City issues (by division) for 1997-1998 that were of concern to the management staff. Those areas that were reviewed were summarized by public safety, public works, community services, and administration/finance/liquor/city assessor. At approximately 7:30 P.M. the Council concluded their discussion and interaction with the department head staff and broke for dinner. At that point in the meeting the department heads left the meeting and the City Council adjourned to the Municipal Utility lounge for dinner. Council reconvened at approximately 8:00 P.M. for continued discussion on the budget planning. Mayor Byrnes and the Council members present indicated that they were pleased with the accomplishments by the department heads and their summary of the identified internal organizational issues and the priorities facing the various divisions of the organizational structure. Based on the organizational issues as presented by staff, the Council instructed the City Administrator to address the following items in the proposed 1997 budget:

- A. Put money in the budget to upgrade the technology/computer system.
- B. The general feeling of the Council was that the City would stay put in the Municipal

SPECIAL MEETING - JUNE 6, 1996

- Building and Library and as such, recommendations regarding ADA improvements and/or building repairs should have cost estimates developed and a proposed plan of action to address long term capital repairs and improvements.
- C. A capital improvement plan should be developed by the end of 1997 for all City equipment, projects, and vehicles.
 - D. The pay compensation plan is in the process of being developed and any direction regarding the pay plan would have to wait until the initial pay plan is reviewed by the Council.
 - E. Council instructed the City Administrator to develop a plan to finish the City reorganization as it pertains to the fourth division covering administration/finance/liquor/assessing. This reorganization plan should be prepared and brought back by October 1, 1997.

The Council then moved into the specific areas and briefly addressed the following types of items under each division.

- A. Public Safety - Continue work on Joint LEC, address retirement issue with Director of Public Safety, recommend budget revisions necessary to address the loss of the SSU contract, and to address any recommendations associated with any new community policing projects or proposals.
- B. Community Services - Council generally acknowledged that the quality of life issues provided for in community services are important but that generally we should hold the line in the community services aspects of the budget unless new revenue funding is included with new activities. Council indicated that City staff should continue to work on telecommunications, the bike trail issue for 1997, work with US West on the Library and City Hall issues. City staff should continue to assess the revenue projections in the program areas to see if the return on the investment is meeting the goals of the various different project areas.
- C. Public Works - City staff should continue to work on the Corps of Engineers project Ditch 62, Bruce and Birch Street reconstruction and storm sewer improvements, construction of 4th Street, the GIS system, the surface water management utility and the other items identified in the public works areas. The Council felt that there is positive movement amongst the different departments under the public works area and that continued interaction based on the longevity of the new City Engineer should allow this to continue in a positive fashion. Council did recognize based on the staff's recommendation that it would help for a 5 year capital improvement plan to be developed in the public works arena. Council was desirous of seeing that work associated with the Hill Street storm sewer was added to the list and that the sanitary sewer study in the "tree" subdivision area be started in 1996.
- D. Administration/finance/liquor/assessing - Council indicated that the Finance Department should continue to work on fixed assets, the transit system, the City's data processing needs pertaining to financial/budgetary/payroll software, and municipal building technology upgrades should be considered for 1997. Council

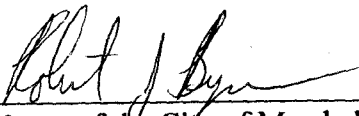
SPECIAL MEETING - JUNE 6, 1996

also instructed City Administrator Johnson to look at the possibility of adding one new position that could assist the entire organization as it deals with personnel/planning and zoning/data processing and the Corps of Engineers project beginning in 1997. It was recognized by the Council that there is need for some type of staffing and that this should be reviewed in the preparation of the preliminary budget.

In reviewing all of the four major divisions and the organizational issues, the Council recognized that the majority of these projects could not be accomplished and maintain a no tax increase for 1997. Council instructed the City Administrator to look at preparation of the budget with a change in the proposed tax levy of somewhere between 3% and 5% with 5% being a maximum increase for initial budget preparation. The proposed 5% increase would include approximately a 3% inflationary increase and no more than a 2% for community growth based on increased valuation.

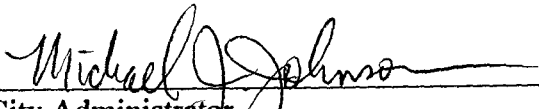
The Council then talked general philosophy and direction for pay compensation for 1997. The various issues associated with possible non-recurring adjustments and/or a percentage or flat dollar increase was discussed. Individual Council member philosophies and positions were discussed in general terms, but no final action was taken. The Council instructed the Personnel Committee to meet and to prepare based on the Council discussions for proposed negotiations with non-union employees for 1997. The Council reviewed that in the most recent years that there was a 2.75% wage increase for 1994 and 1995 and a 3% increase in 1996. At the conclusion of the meeting, the Council indicated that they were pleased with the process and all of the work that had been done by the department heads or management team. Council indicated that they would like to use this same process in 1997 but that they would like to expand the time frame and have the opportunity to have dinner with the department heads as part of the process.

Meeting adjourned at 10:35 P.M.



Mayor of the City of Marshall, MN

ATTEST:



City Administrator

REGULAR MEETING - JUNE 17, 1996

The regular meeting of the Common Council of the City of Marshall was held on June 17, 1996. The meeting was called to order at 7:30 p.m. by Mayor Byrnes in the Council Chambers of the Marshall Municipal Building. In addition to Byrnes, the following members were present: Doyle, Robley, Roggeman, Boedigheimer and Stores. Absent: Edblom.

The Pledge of Allegiance was recited at this time.

It was the general consensus of the City Council that the agenda be approved as presented.

Doyle moved, Roggeman seconded, that the minutes of the special meeting held on June 3, 1996 and the minutes of the regular meeting held on June 3, 1996 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

This was the date and time set for the public hearing on the Birch Street Storm Sewer and Street Improvements from Bruce Street to State Street. Keith Nelson, City Engineer/Public Works Director, briefly review the scope of the project which included the reconstruction of Birch Street road surface including small sections of curb and gutter from Bruce Street to State Street and a storm sewer system that would collect the local runoff as well as accommodate the drainage throughout North Minnesota, Kossuth, Boxelder, Whitney, Pine and Poplar Streets area. The proposed storm sewer system would be built within Birch Street between Bruce Street and State Street using 54 inch and 60 inch concrete pipe, new manholes, inlets and lateral piping would be required. Mr. Nelson indicated that the cost would be assessed against the City right-of-way and cemetery would be the City's expense and the cost as a result of the oversizing of the storm sewer street section beyond that of the local street would not be assessed.

Jim Winn questioned the procedure for this storm sewer assessment as to whether it is based on square footage of the whole lot or that portion of the lot that contributes to the storm sewer system. Mr. Nelson indicated that the proposed cost for the storm sewer assessment is 6.77 cents per square foot of the property that contributes to the storm sewer system.

Aaron Esping was concerned with the cost associated with the tearing up of Minnesota Street for the installing of the proposed 54 inch storm sewer. Mr. Esping and other in attendance at the meeting were advised that the assessment for this storm sewer would be covered by the FEMA Grant.

Dan Anderson of Horizon Drive, questioned the area to be assessed for the storm sewer. Mr. Nelson responded by indicating that those properties that lie within the watershed area would be assessed for the storm sewer improvements.

Julie Allen questioned if their would be assessed for the storm sewer project since their property did not lie within the boundaries that Mr. Nelson had indicated were those properties within the watershed district. Mr. Nelson indicated that some properties in the vicinity of the watershed area were notified of this project so that they were aware of it in case there were some changes as the project progressed.

Jim Zarzana, Hill Street, questioned whether the 12 inch, 15 inch and 21 inch storm sewer lines as indicated on the drawing provided by Mr. Nelson would have to be replaced. Mr. Zarzana was advised that they would not have to be replaced.

REGULAR MEETING - JUNE 17, 1996

Jim Winn questioned the assessment for his parcel of property and it was indicated to be in the vicinity of \$800 based on the estimates at this time. Mr. Winn was advised his computations were correct.

Richard Schearer, Pine Street, was concerned with the equality of the assessments in comparing a triplex on one lot versus a single family home on another lot. Mr. Nelson responded by indicating that the assessments are based on the square footage of the lot.

Councilperson Robley questioned the assessments of hard surface property versus that of the grassy areas. Mr. Nelson indicated that the assessments are based on the square footage of the lot and there is no difference in the computations for the hard surfaces versus the grassy surfaces at this time.

Jim Zarzana questioned the target area for sanitary sewer problems in this area.

Julie Allen was concerned with the possibility of the City doing this project and the sanitary sewer project at the same time.

Jim Winn questioned the assessment for Ditch #62. Mr. Winn and others in attendance at the meeting were advised that there will be no assessments to the Ditch #62 project and that the cost for this project would be paid from grant proceeds.

City Attorney Brian Murphy addressed with those in attendance at this time the procedure for the assessments.

Aaron Esping questioned why the proposed storm sewer on Minnesota is not extended and tied in with the Ditch #62 project. In response to this concern it was indicated that it is the storm sewer from North Minnesota is being tied into the storm sewer along Birch Street to avoid excess flow in one area or the other.

Those in attendance at the meeting were advised that if the Ditch #62 Project does not happen that the project that is being proposed at this time for the storm sewer improvements on Birch Street would have to go back to the drawing board.

A question again was raised that if the assessments could be calculated differently for single family housing versus that of a multiple family dwelling.

Julie Allen was concerned with the study that was done in this same general area in regard to sanitary sewers and other improvements that were proposed to be done and whether or not these improvements were going to be done. Ms. Allen and others in attendance at the meeting were advised that of the various improvements that were recommended from this study the City is considering those one at a time and hoping that as they do the different projects each one will resolve some of the problems that have existed in this area in the past few years and that they will continue to address those that have not been completed at this time.

With no further concerns brought before the public hearing, Doyle moved, Stores seconded, the public hearing be closed. All voted in favor of the motion.

REGULAR MEETING - JUNE 17, 1996

Boedigheimer moved, Robley seconded, the adoption of RESOLUTION NUMBER 1899, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1899, Second Series, is a resolution ordering the improvements and preparation of plans for the proposed improvements for Birch Street between the center line of Bruce Street and the east right of way line of State Street by regrading, asphalt surfacing and storm sewer improvements. All voted in favor of the motion.

Bids were received, opened and read at 2:00 p.m. on June 11, 1996, in the Council Chambers of the Marshall Municipal Building for the Wastewater Clarifier Project consisting of the replacement of weirs, scum baffles and bridge grating on two primary and two secondary clarifiers. The bids received, opened and read were from:

Name	Bid Amount
ABE Construction Company	Item No. 1: \$85,000.00
2525 Nevada Ave. N., Suite 307	Item No. 2: <u>500.00</u>
Golden Valley, MN 55427	Total: \$85,500.00
Alltech Engineering Corp.	Item No. 1: \$118,100.00
2515 Pilot Knob Road	Item No. 2: <u>3,100.00</u>
Mendota Heights, MN 55120	Total: \$121,200.00
EnviroStructures Contracting Co.	Item No. 1: \$88,000.00
2500 Broadway/Drawer 2	Item No. 2: <u>2,500.00</u>
Camden, NJ 08104	Total: \$90,500.00
GHT Constr. Inc.	Item No. 1: \$185,730.00
2750 102nd Street SE	Item No. 2: <u>3,000.00</u>
Delano, MN 55328	Total: \$188,730.00
Global Specialty Contractors, Inc.	Item No. 1: \$166,000.00
201 W. Travelers Trail, Suite 11	Item No. 2: <u>1,250.00</u>
Burnsville, MN 55337	Total: \$167,250.00
Robert L. Carr Co.	Item No. 1: \$72,430.00
1601 N. Highway 59	Item No. 2: <u>520.00</u>
Marshall, MN 56258	Total: \$72,950.00

These bids have been reviewed by the engineers from RCM. Boedigheimer moved, Robley seconded, the bid for the wastewater clarifier project be awarded to Robert L. Carr Co., Marshall, Minnesota in the amount of \$72,950 with the understanding that \$13,000 of these improvements will be paid from the wastewater treatment plants maintenance account. All voted in favor of the motion.

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Upon the recommendation of the Planning Commission, Boedigheimer moved, Doyle seconded, a one year Conditional Use Permit for a home occupation consisting of an art gallery business be granted to Patricia Evans at 403 West Marshall Street. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Robley moved, Boedigheimer seconded, a Variance Adjustment Permit be granted to William Verschaetse, 118 Park Avenue, for a rear yard of 15 feet in lieu of 18 feet for an attached garage and a rear yard of 12 feet in lieu of 13.5 feet for a screen porch with the hardship that the lot is an odd shape and the addition would be conforming if it were not for the requirements affecting the existing garage. All voted in favor of the motion.

Doyle moved, Stores seconded, the approval of Change Order Number 3 for the contract with ABE Construction Company for the lift station improvements. Change Order Number 3 is a deduct in the contract of \$1,000 which would delete the seeding at the lift station. This project will be done by City personnel. All voted in favor of the motion.

Steve Voigt, County Engineer, was in attendance at the meeting to discuss with the Council the turn back of County Road 67 to the City of Marshall. County Road 67 is described as Saratoga Street from West College Drive to Trunk Highway 23 and North 4th Street from West Main Street to the center of Section 34 on the northeast edge of Marshall. The County has agreed to overlay a portion and chip seal the remaining portion of Saratoga Street this summer. Additionally, a sum of money equal to the cost of overlaying North 4th Street will be provided to the City of Marshall. It is the intent that these funds would be designated for the reconstruction of the street in the future as widening and regading will be required in addition to the previously mentioned resurfacing. It is not projected that this project will occur this year or next year. Next years's designation of this roadway as a State Aid Street would increase the City's State Aid allotment by approximately \$20,000. As a result of the County revoking County Highway No. 67, the City would be required to perform all maintenance in the future. The County Commission would be required to have a public hearing and pass a resolution revoking this portion of a road as a County highway. The City Council would then be asked to pass a resolution establishing it as a City street. Roggeman moved, Doyle seconded, the proper City personnel be authorized to execute a joint agency agreement between Lyon County and the City of Marshall for the transfer of jurisdiction and responsibility of portions of County Road 67. All voted in favor of the motion.

Keith Nelson, City Engineer/Director of Public Works, presented to the Council a list of the various streets being considered for overlay or seal coat in 1996. Robley moved, Stores seconded, proper personnel be authorized to advertise for bids for the asphalt overlay and seal coating of the various streets in the City of Marshall in 1996. A suggestion was made that at some time Jewett Street be added to the streets to be considered for the seal coat or overlay. All voted in favor of the motion.

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Roggeman moved, Robley seconded, the proper City personnel be authorized to execute a Certificate of Correction to the plat for Maple and Second Street Addition. There was an error found in one angle's description therefore, this certification provides for the correction in that error. All voted in favor of the motion.

Doyle moved, Stores seconded, the proper City personnel be authorized to execute the Certification of Local Performance Measures for Local Performance Aid Payable in 1997. This certification indicates the City does not have performance measures for services in place at this time but the City is in the process of developing and implementing a system of performance measures. All voted in favor of the motion.

Roggeman moved, Doyle seconded, the approval of two (2) special vehicle licenses for Mike Boedigheimer to operate golf cart type vehicles on designated streets within the City of Marshall for the calendar year 1996 and that the fee for these special vehicle licenses be waived since these golf carts and attached trailers are used primarily for providing rides to the residents of the nursing home. All voted in favor of the motion except Boedigheimer who abstained.

Reports by the Mayor and Councilmembers of the various committees, commissions and boards were presented at this time:

Byrnes No reports. Meetings are upcoming on his committees.

Roggeman Housing Commission - Kurt Keena has resigned as executive director. A special meeting was held on June 17, 1996 to review the process for the replacement of the executive director. Planning Commission - the items discussed at the Planning Commission were considered at this City Council meeting. Community Services Advisory Board - did have their tour and picnic on June 5, 1996 and they did recognize retiring superintendent of Marshall Schools Dr. Huber for his contributions.

Stores Ways and Means - needs to hold a meeting. Marshall Celebrates - will hold a meeting on June 18, 1996. Hospital Board - is in support of limiting teen access to tobacco. The Affiliated Medical Centers consisting of Marshall, Redwood and Granite Falls is advertising for an administrator. Brian Murphy, City Attorney, was at the meeting and addressed the releasing of information on patients. They are advertising for the replacing of the roof on the 1977 portion of the building. They will be advertising for bids for a chemistry analyzer and the hospital will be using the bond counsel Faegre and Benson to assist them with the financing concerns for their remodeling project. The City Council was invited to a July 23rd meeting to address the hospital remodeling. They will be holding a retreat in July on integration.

Boedigheimer Human Rights - will be holding a meeting on June 18, 1996 and initiating a new member to this board. Senior Citizen Commission - will not have a meeting this month. Legislative and Ordinance Committee - did meet and address the aesthetics of abandon buildings and the vending machines for the sale of tobacco items. The City Attorney is to do research these two concerns

REGULAR MEETING - JUNE 17, 1996

and present to this committee the proposed ordinances.

Robley Lyon County Enterprise Development - will hold its annual meeting at 7:30 p.m. on June 19, 1996 at the Best Western. They are continuing to research for the replacement of the Director Ivan Anderson.

Doyle Library Board - continues to address their concerns with the Plum Creek and automation.

Other items of concern brought forth by the Mayor and Councilmembers included: A concern with the tree trimming which has taken place within the City and the potential of killing a tree. The adhoc committee was recommending to the Independent School District 413 School Board to add an addition to the Senior High School for the Junior High and that the bus unloading problems at East Side and West Side be addressed. A concern was expressed in regard to special vehicle licenses and that they do not address such vehicles as lawn mowers. The status of the minutes of the retreat held by the City Council was questioned and they were advised that they were forth coming.

Roggeman moved, Stores seconded, and it was unanimously approved that the following bills be approved for payment: ACCOUNTS PAYABLE VOUCHER# 66543 through 66756.

The following building permits and mobile home permit previously approved by the Building Official were confirmed:

MSP Construction, Inc.
1400 South 4th Street
8-Unit Apartment and 6 Garages
\$340,000

Steve Baumann Construction
902 West College Drive
Office Partial Reroof
\$2,700

MSP Construction, Inc.
1402 South 4th Street
8-Unit Apartment
\$240,000

Patrick Botsford
401 North Bruce Street
Window Replacement
\$3,000

MSP Construction, Inc.
1404 South 4th Street
8-Unit Apartment
\$240,000

Babcock Construction
403 South 5th Street
Reside, Windows and Patio Door
\$5,100

MSP Construction, Inc.
1406 South 4th Street
8-Unit Apartment
\$240,000

Daryl Scholten
308 West Redwood Street
Fire Damage Repair
\$15,000

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MSP Construction, Inc.
1410 South 4th Street
6-Unit Apartment
\$180,000

MSP Construction, Inc.
1412 South 4th Street
6-Unit Apartment
\$180,000

Tutt & Olson Construction
1203 Parkside Drive
Interior Remodeling
\$3,000

Orval and Nancy Ulrich
404 Thomas Avenue
Garage Addition
\$2,200

Steve Tutt Construction
448 West Main Street
Awning
\$600

Sussner Construction
208 East College Drive
Remodel
\$20,000

Richard VanDyke
603 Roosevelt
Deck
\$1,000

Lyon Main Partnership
1100 East College Drive
Sign
\$500

Dennis and Rita Bakke
608 West Marshall Street
Demolish Duplex
\$0

Quality Roofing
603 Kendall Street
Reroof Dwelling
\$2,100

J&J Associates Limited Partnership
515 Village Drive
Reroof Entrance
\$1,000

Geske Building & Supply
901 North 5th Street
Siding and Window
\$7,000

David Logan
121 Spruce Lane
Deck
\$800

Monte Buntjer
205 George Street
Reroof Dwelling
\$1,500

Geske Building & Supply
305 Camden Drive
Siding
\$1,200

Curt DesLauriers
413 North 6th Street
Dwelling Addition
\$40,000

Ron Mosch
1409 Carlson Street
Garage
\$3,000

Ken's Karpentry & Krafts
1409 Ridgeway Road
Deck
\$2,200

Chester Miller
610 Soucy Drive
Deck and Garage Remodel
\$5,000

Sussner Construction
611 Viking Drive
Reroof Dwelling
\$3,000

REGULAR MEETING - JUNE 17, 1996

Sussner Construction
207 North 4th Street
Replace Floor
\$4,800

Sussner Construction
600 East College Drive
Replace Doors
\$5,500

Sussner Construction
500 South 4th Street
Replace Doors
\$9,800

Sussner Construction
112 South 6th Street
Remodel Roof
\$40,000

Myron Kuyper
305 West Marshall Street
Move Out Garage
\$0

Duane and Gerri Labat
405 Mill Street
Reside Dwelling
\$4,600

Norman R. Carstensen
305 East Redwood Street
Reroof Dwelling and Garage
\$1,500


MANUFACTURED HOME PERMITS
Michelle Tabares
109 Spruce Lane

Upon motion made by Roggeman, seconded by Stores, the meeting was adjourned. All voted aye.



Mayor of the City of Marshall, Minnesota

ATTEST:



Finance Director/City Clerk

REGULAR MEETING - JULY 1, 1996

The regular meeting of the Common Council of the City of Marshall was held on July 1, 1996. The meeting was called to order at 7:30 p.m. by Mayor Byrnes in the Council Chambers of the Marshall Municipal Building. In addition to Byrnes, the following members were present: Edblom, Roggeman, Boedigheimer and Stores. Absent: Doyle and Robley.

The Pledge of Allegiance was recited at this time.

It was the general consensus of the City Council that the agenda be approved as presented.

Roggeman moved, Edblom seconded, that the minutes of the special meeting held on June 17, 1996 and the minutes of the regular meeting held on June 17, 1996 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

Marvin Bahn, Director of Public Safety, reviewed with the City Council the agreement between the City of Marshall and Southwest State University for the City of Marshall to provide police department services for traffic control and security at Southwest State University. Included with the information presented to the City Council was a letter from Doug Sweetland, President of Southwest State University, addressing the objectives of the Safety and Security Program at Southwest State University. The objectives addressed in Mr. Sweetland's letter were: the desire of the university to have more internal control of the program and personnel; the desire by the University to have more on-campus professional security time devoted to safety, security, policy development, training and general campus visibility; and the desire by the University to have unarmed security personnel on campus. With these objectives in mind, it is the recommendation of Southwest State University to pursue the development of its own safety and security program and hire their own personnel. Therefore, Roggeman moved, Stores seconded, the proper City personnel be authorized to enter into an agreement between the City of Marshall and Southwest State University for the City of Marshall to provide Police Department Services for traffic control and security at Southwest State University. This agreement is for the period of July 1, 1996 to December 31, 1996 at a fee of \$41,011. The services that are to be provided are the equivalent of one and a half positions of the Police Department. Mr. Bahn did indicate that it is the intent of the Police Department to work with the proper personnel from Southwest State University for an orderly transition of this process. All voted in favor of the motion.

Mike Johnson, City Administrator, reviewed with the City Council the status of the Comprehensive Plan for the City of Marshall. Mr. Johnson indicated that the final revisions to the draft plan have been received with the exception of the revisions to the forward and executive summary. Mr. Johnson indicated that it is anticipated that these revisions would be available within the near future.

Roggeman moved, Stores seconded, the adoption of RESOLUTION NUMBER 1900, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1900, Second Series, is a resolution receiving the Planning Commissions recommendation and setting a public

REGULAR MEETING - JULY 1, 1996

hearing on the Comprehensive Plan. The public hearing was scheduled for 7:00 p.m. on July 22, 1996 in the Council Chambers of the Marshall Municipal Building. All voted in favor of the motion.

On May 6, 1996, the Marshall City Council approved a resolution determining the necessity for and authorizing the acquisition of certain property by proceedings in eminent domain for the 27 foot strip of land owned by Edward L. DeLanghe (deceased) located on South 4th Street between Elaine Avenue and Highway 23. The strip of land which is estimated at approximately .75 acres is sandwiched in between a 33 foot strip of land owned by the City of Marshall on the west side and a 6 foot strip of land owned by the City of Marshall on the east side of South 4th Street. Mayor Byrnes and Councilperson Boedigheimer have met with the representatives from the DeLanghe Estate and negotiated the purchase of the South 4th Street right-of-way. Mr. Johnson did address a concern with the utilizing of State Aid Funds for the acquiring of this property and suggested that a contact be made with the State to make sure that the State is in compliance with the utilizing of the State Aid Funds for this property and that they are agreeable to the appraisal and the procedure of the acquiring of this property. Contingent receiving of the approval from the State of Minnesota, Stores moved, Boedigheimer seconded, that the proper City personnel be authorized to execute an earnest money contract of sale for the 27 foot strip of land owned by Edward L. DeLanghe (deceased) located on South 4th Street between Elaine Avenue and Highway 23 for an amount of \$8,000. All voted in favor of the motion.

Edblom moved, Stores seconded, the approval of Change Order #1 for the contract with Bladholm Construction Inc. for the Independence Park Service Building. This change order provides for an increase in the contract of \$306.30. This increase in the contract is for cost to excavate and fill where frost was encountered around the water line, to provide a clear sealant on the cedar siding and to provided electricity for a water heater. All voted in favor of the motion.

Reports by the Mayor and Councilmembers of the various committees, commissions and boards were presented at this time:

- | | |
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| Byrnes | <u>EDA</u> - the minutes were included with the City Council agenda packet. The loan from the EDA to Marshall Truss was addressed and it was also indicated that the Marshall Truss was receiving a loan from the Southwest Regional Development Commission and the Economic Development and Trade. <u>RDC</u> has had a couple meetings primarily dealing with the building project for the RDC. |
| Roggeman | <u>Personnel Committee</u> - has met twice in preparation for the next contract negotiating process with employees of the City of Marshall. |
| Stores | <u>Ways and Means Committee</u> - needs to set a meeting date. <u>Hospital Board</u> - will hold a meeting on July 22, 1996 to look at the plans for the improvements. <u>Marshall Celebrates Committee</u> - held a meeting on June 18, 1996 and are moving forward but are still in need of more fundraising. |

REGULAR MEETING - JULY 1, 1996

Edblom

Utility Commission - Betty Lockwood was elected chairperson and Duane Purrington as co-chairperson. They have moved their meeting date from the 2nd Tuesday to the 3rd Tuesday of each month to allow for more time for the financial information to be compiled for their meetings. The meetings will begin at 6:00 p.m. on an informal basis and their regular meeting will begin at 7:30 p.m. The July 16 meeting will begin at 6:00 p.m. on an informal basis to discuss the new filter plant and its ramifications. The filter plant is still encountering problems and they are continuing to ask citizens to reduce their use of water. They are doing a pilot testing on their water over the next three months. They are in the process of getting their Drug and Alcohol Policy in place and did request that a meeting date be set for the partnership agreement. Mr. Edblom also indicated that as the liaison person for the City Council to the Municipal Utilities Commission that he will be included on their agendas for future meetings.

Boedigheimer

Legislative and Ordinance Committee - met on June 10, 1996 and did also discuss the request from the Southwest State University Student Association requesting the voting location within Ward I to be relocated to the college campus. Following the review by the Legislative and Ordinance Committee it was agreed to leave the polling location at Parkside. Human Rights Commission - did hold their meeting and the new members were in attendance. Airport Commission and Senior Citizen Commission - will be meeting within the next week.

Other items of concern brought forth by the Mayor and Councilmembers included: The annual joint meeting of the City and County is scheduled for 7:00 a.m. on Wednesday, July 3, 1996. Councilperson Stores did receive the information from the League of Minnesota Cities in regard to the adult entertainment session that was held at the League of Minnesota Cities Conference held in Rochester. Councilperson Stores, City Administrator Johnson, Director of Public Safety Bahn and Police Sergeant Leese attended the Community Policing Workshop in Brainerd, this program does not require the hiring of any new additional personnel. A suggestion was made that the City consider some type event or events at City hall during City's Week. The City Council was reminded of the July 4th Celebration at Independence Park. The status of the stop and go lights at the intersection of Southveiw and East Main was questioned and it was indicated that the City has not been able to acquire the necessary right of way, therefore, the project has been moved back to 1997.

In regard to the pending agenda items: The entrance welcome signs was questioned. Mr. Johnson indicated that there are two areas of concern at this time and that is the providing of electricity to these signs and the ability of the City Attorney's Office to acquire the necessary right of way for the installation of these signs. City Engineer Keith Nelson did indicate that there has been some recent progress made in determining the locations for the City of Marshall entrance signs.

REGULAR MEETING - JULY 1, 1996

Roggeman moved, Edblom seconded, and it was unanimously approved that the following bills be approved for payment: ACCOUNTS PAYABLE VOUCHER #66757 through 66930.

The following building permits previously approved by the building official were confirmed:

Herzog Roofing
500 Artillery Drive
Reroof
\$107,000

Steve Baumann Construction
301 Legion Field Road
Reroof Dwelling
\$4,200

Douglas Hamilton
1401 Parkside Drive
Finish Basement
\$2,500

True Value Home Center
129 "E" Street
Deck and Entry Addition
\$7,000

True Value Home Center
1205 Patricia Court West
Dwelling
\$90,000

Steve Tutt Construction
1113 Bruce Circle
Deck
\$1,500

Steve Baumann Construction
817 West Main Street
Reroof
\$2,200

Frank Allen
224 London Road
Deck and Replace Steps
\$300

Dan Andersen
1104 Horizon Drive
Steps
\$100

Jeffrey J. Gladis
702 Oak Street
Dwelling
\$65,300

Steve Baumann Construction
709 Brian Street
Reroof Dwelling and Garage
\$3,000

City Attorney Brian Murphy did indicate that at the Legislative and Ordinance meeting held on June 10, 1996, tobacco vending machines were discussed and he was requested to research ordinances and prepare an ordinance in regard to tobacco vending machines and present it back to the Legislative and Ordinance Committee.

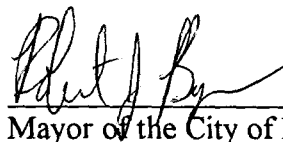
REGULAR MEETING - JULY 1, 1996

The Joint Law Enforcement Committee had met on June 27, 1996 and did spend some time reviewing computers and software programs and do intend to report back to the committee by July 27, 1996 on their status of computers and software.

Mike Johnson, City Administrator, did indicate to the Council at this time that per a report received from the Minnesota Department of Transportation the improvements to Highway 59 from County Rd 6 to the Highway 23 intersection have been delayed to 1998.

Mr. Johnson also requested that prior to the next City Council meeting interviews be scheduled for the Economic Development Authority and Utility Commission.

Upon motion made by Edblom, seconded by Roggeman, the meeting was adjourned. All voted aye.



Mayor of the City of Marshall, Minnesota

ATTEST:


Finance Director/City Clerk

REGULAR MEETING - JULY 15, 1996

The regular meeting of the Common Council of the City of Marshall was held on July 15, 1996. The meeting was called to order at 7:30 P.M. by Mayor Byrnes in the Council Chambers of the Marshall Municipal Building. In addition to Byrnes, the following members were present: Robley, Edblom, Roggeman, Boedigheimer and Stores. Absent: Doyle.

The Pledge of Allegiance was recited at this time.

It was the general consensus of the City Council that the agenda be approved with the addition of item no. 10A, which was consideration of an application for a 1 day off-site lawful gambling license for the VFW Post 742 at the Lyon County Fairgrounds, and the deletion of item no. 11, which was the appointment of members to boards and commissions.

Robley moved, Edblom seconded, that the minutes of the special meeting held on June 6, 1996 and the minutes of the regular meeting held on July 1, 1996 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Edblom moved, Robley seconded, a variance adjustment permit for a side yard set back of 1' in lieu of 5' as required by ordinance for a garage addition be granted to Dean Grams, 606 Kendall Street, with the hardship being aesthetics. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Robley moved, Roggeman seconded, a variance adjustment permit be granted to Suzanne M. Cattoor, 814 West Main Street, for a service station canopy to be construction within 16' of the front property line in lieu of a 30.5' set back as required by ordinance as there is a hardship shown that the existing structure is in the same location and the irregular shape of the property. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Stores moved, Roggeman seconded, the introduction of an ordinance to rezone property at 800 East Main Street from R-4/I-1/B-3 to B-3 General Business District and that a public hearing be scheduled for 7:30 P.M. on August 5, 1996 in the Council Chambers to consider this ordinance. Jack Dobrenski, 704 East Main Street, was in attendance at the meeting and was concerned with the water drainage and fence between properties in this area. City Engineer Keith Nelson will address this concern and other concerns of the area in a memo to the City Council prior to the public hearing. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Roggeman moved, Boedigheimer seconded, the approval of the preliminary plat of Viking Addition Plat 9 and that a public hearing be scheduled for August 5, 1996 at 7:30 P.M. in the Council Chambers of the Marshall Municipal Building to consider the adoption of the final plat for Viking Addition Plat 9. D. C. McFarland was in attendance at the meeting and did express a concern with the requirement of the developer to absorb the cost of the development of a park in this development. All voted in favor of the motion.

REGULAR MEETING - JULY 15, 1996

Robley moved, Stores seconded, the introduction of an ordinance vacating a public alley and right-of-way in the City of Marshall. The public alley lies between Lots 1 through 5 and Lots 6 through 10 in Block 1, Eastmans's Addition to the City of Marshall. A public hearing will be held on August 5, 1996 at 7:30 P.M. in the Council Chambers of the Marshall Municipal Building to consider the adoption of this ordinance. This alley is currently being used for overhead power and telephone lines and an easement will be needed to ensure the continue service of these utilities. All voted in favor of the motion.

Stores moved, Roggeman seconded, the adoption of RESOLUTION NUMBER 1901, SECOND SERIES and that the reading of the same be waived. Resolution Number 1901, Second Series is a resolution amending the assessment roll for project no. 1995-001, Storm Sewer Improvements on A Street. This resolution provides for the assessment against Parcel No. 27-739009-0 in the amount of \$300 to be deleted. This property is owned by Raymond and Stephen Klein. All voted in favor of the motion.

Robley moved, Roggeman seconded, three members of the Marshall Volunteer Fire Department be granted out-of-state travel to attend the International Fire/Rescue Conference to be held in Kansas City, Missouri on August 24 and 25, 1996. Each member was granted up to \$300 for expenses to attend this conference. Per the correspondence received from Fire Chief Dave Marks, those attending this conference will be gathering information on new rescue equipment, attending sessions on aerial ladder collapse and maintenance, and also attending leadership lessons for America's Fire Service and developing a standard cover for the Marshall Fire Department. All voted in favor of the motion, except Boedigheimer who abstained.

Stores moved, Roggeman seconded, a Transient Merchants License be approved for Donald Braband of Balaton who will be selling fruits and vegetables at the Poor Borchs parking lot. The fee for this license is \$250.00 and is for the calendar year 1996. All voted in favor of the motion.

Edblom moved, Boedigheimer seconded, a temporary on-sale liquor license be granted to the Southwest State University Alumni Association for activities at Mattke Field at the Southwest State University from 11:30 A.M. to 1:30 P.M. and also at the SSU Student Center and/or Multi-Purpose Room from 5:30 P.M. until 10:00 P.M. These events will be held on September 28, 1996. All voted in favor of the motion.

Roggeman moved, Robley seconded, BE IT RESOLVED that the proper city personnel be authorized to advise the State of Minnesota Chartible Gambling Control Board that they have approved the application for a One-Day Off-Site Lawful Gambling License for the VFW Post 742, 1507 East College Drive, Marshall, Minnesota to be used at the Lyon County Fairgrounds on August 10, 1996. All voted in favor of the motion.

REGULAR MEETING - JULY 15, 1996

Reports by the Mayor and Councilmembers of the various committees, commissions and boards were presented at this time:

- Byrnes RDC held its annual meeting on July 11, 1996 at the Marshall Golf Course at which time Byrnes was reelected to serve as secretary for the commission. Mr. Byrnes indicated that the RDC has severed its ties with the Prairland Economic Development Commission.
- Roggeman Planning Commission the items that were acted upon by the Planning Commission were considered at this City Council meeting.
Housing Commission they have received 42 applicants for the Executive Director Position and they anticipate there are approximately 30 more applications that could come in. An application for the 1996 CIAP Funding was submitted in the amount of \$280,000. The commission was advised that they will be receiving \$150,000.
Community Services did hold a leadership session.
- Stores Hospital Board will meet at 5:00 P.M. on July 22, 1996 with Group II Architects. A four hour retreat was held on July 10th to discuss integration.
Celebrate 125 Committee is looking for someone to chair the time capsule project.
- Edblom Cable Commission their meeting was a routine meeting but at the next monthly meeting they will begin reviewing the cable franchise.
Utility Commission meeting will be held on July 16, 1996 and the Convention and Visitor Bureau meets on July 17, 1996.
- Boedigheimer Human Rights Commission - the minutes of the previous meeting are included with the City Council agenda packet and the next meeting is scheduled for July 16, 1996.
Airport Commission did hold a meeting on July 8, 1996 and did address a problem with the soil in the hangar apron area which is affecting the improvements being done at the airport and the Airport Commission is also interested in doing something in conjunction with the 125th Anniversary of the City of Marshall.
Senior Citizen Commission held a meeting on July 10, 1996 and the commission is interested in providing input during the 1996 budget process. They did spend some time reviewing survey results.
- Robley No report.

Other items of concern brought forth by the Mayor and Council consisted of a concern of the status of the Joint City/County Committee; the possibility of the Community Services Department including in their budget in 1997 for work to be done on bike trails; concern of the 4th street home owners adjacent to the group home as it relates to the addition that is being

REGULAR MEETING - JULY 15, 1996

proposed for this facility; at the Community Policing Seminar that was held there was a 20 minute video presented which was requested to be viewed with the City Council at 7:00 o'clock P.M. on August 5, 1996; a number of favorable comments were received in regard to the 4th of July Celebration. It was also noted that the businesses who contributed to the 4th of July Celebration should receive appropriate recognition. In regard to the group home on 4th Street Keith Nelson City Engineer did indicate that this project would have to go through the Planning Commission for their consideration.

Roggeman moved, Stores seconded, and it was unanimously approved that the following bills be authorized for payment: VOUCHER NO. 66930 through 67166 and also the request for payment to Paxton Signs in the amount of \$43,988.50 be approved for payment.

The following building permits previously approved by the Building Official were confirmed:

Marlo Moon
415 North 3rd Street
Deck/Remodel
\$4,000

Leo Bass
1302 Parkside Drive
Reroof Dwelling
\$1,200

John Purdy & Mary McCormack
604 Charles Avenue
Kitchen Remodel
\$1,500

James P. and Ann J. Carrow
600 West Redwood Street
Kitchen Remodel
\$2,500

Marshall Lumber Co.
800 East Main Street
Demolish Plant, Office and Shed
\$0

Greg and Rhonda Miller
502 Carlson Street
Construct Deck and Install Window
\$1,000

Denison Roofing Construction
106 South 11th Street
Reroof Dwelling
\$1,100

Chad Kulla
318 South 6th Street
Garage
\$5,000

Craig Maki
311 East Redwood Street
Deck
\$1,200

Brian Hoffman
417 North 3rd Street
Screen Porch
\$5,400

REGULAR MEETING - JULY 15, 1996

Robert Schultz
232 Legion Field Road
Dwelling Addition and Garage Addition
\$10,500

Todd Raske
400 West Southview Drive
Deck
\$1,200

Greig & Gregerson
313 West Main Street
Remodel Retail Store
\$11,000

Geihl Construction
1208 Patricia Court West
Dwelling
\$183,000

Ewald Pagel
602 North 5th Street
Interior & Porch Remodeling
\$400

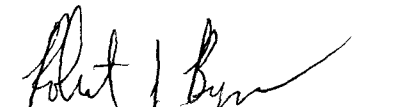
Bruce Meyer
410 Lynd Street
Front Door Installation
\$300

Bruce Koch Construction
102 West James Avenue
Install Door
\$500

Alan Viaene
603 DeSchepper Street
Deck
\$1,800


The Quarterly Employee Committee meeting was scheduled for 4:00P.M. on July 30, 1996.

Upon motion made by Edbloom, seconded by Stores, the meeting was adjourned. All voted aye.



Mayor of the City of Marshall

ATTEST:



Financial Director/City Clerk

SPECIAL MEETING - JULY 22, 1996

The special meeting of the Common Council of the City of Marshall was held on July 22, 1996. The meeting was called to order at 5:00 P.M. by Mayor Byrnes in Classroom No. 1 at the Weiner Memorial Medical Center. In addition to Byrnes, the following Council members were present: Boedigheimer, Edblom, Stores, Robley, Roggeman. Absent: Doyle.

The purpose of the special City Council meeting was a joint meeting with the Weiner Memorial Medical Center Board of Directors to review the final design development plans for Phase I of Weiner Memorial Medical Center's remodeling project.

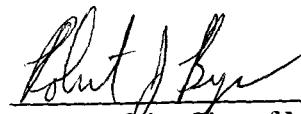
The City Council, in conjunction with the Hospital Board of Directors, listened to a presentation by Tom Osterberg, Group II Architects, about Phase I of the project and its alternatives and the proposed project of reroofing a portion of the Hospital roof.

The preliminary cost estimates for the Phase I portion of the project and the alternate is estimated at \$1,950,000. The estimate for the roofing project was estimated at \$92,000. In addition to the construction estimates, additional costs associated with driveway improvements (estimated at \$57,000) and furnishings for the Hospital improvement project (estimated at \$99,400) would have to be considered at a later date. At the conclusion of the presentation, it was indicated that advertisements would occur in the latter part of July, first part of August, with bids being submitted on August 20, 1996. The Hospital Board indicated that they would probably hold a special meeting to consider the bids at noon on August 26, 1996. Mayor Byrnes indicated that on behalf of the City Council that they would possibly be willing to schedule a special meeting for that same evening to consider the bids and the recommendation from the Hospital Board of Directors.

In addition to the City Council members that were present, the Hospital Board of Directors were represented, various Hospital staff, representatives from Group II Architects, and the news media.

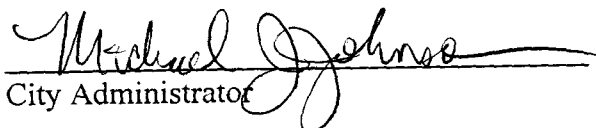
No action on the project was taken by the City Council.

There being no further business, the meeting was adjourned at approximately 6:13 P.M.



Mayor of the City of Marshall, MN

ATTEST:


City Administrator

SPECIAL MEETING - JULY 22, 1996

A Special meeting of the Common Council of the City of Marshall was held on July 22, 1996. The meeting was called to order at 7:00 P.M. by Mayor Byrnes in the Council Chambers of the Marshall Municipal Building. In addition to Byrnes the following members were present: Robley, Edblom, Roggeman and Boedigheimer. Absent: Stores and Doyle.

The purpose of this special meeting was to conduct a public hearing in regard to the Comprehensive Plan for the City of Marshall and the consideration of the adoption of this plan.

Added to the agenda upon the request of Director of Public Safety Marvin Bahn was the consideration of a resolution granting the proper city personnel to submit a grant application to the Minnesota Department of Public Safety, Office of Traffic Safety for the Safe and Sober Project for the period October 1, 1996 to September 30, 1999.

Robley moved, Edblom seconded, the adoption of RESOLUTION NUMBER 1902, SECOND SERIES and that the reading of the same be waived. Resolution Number 1902, Second Series is a resolution authorizing the proper city personnel to execute an agreement with the Minnesota Department of Public Safety, Office of Traffic Safety for the project entitled Safe and Sober Communities for the period October 1, 1996 to September 30, 1999. This grant is in the amount of \$20,000 and there is no matching requirement of the city for this grant. All voted in favor of the motion.

Michael Johnson, City Administrator, provided introductory comments in regard to the process that the city has encountered and the number of meetings that have been held in regard to the development of the Comprehensive Plan for the City of Marshall.

John Shardlow of Dahlgren, Shardlow and Ubhan, Inc., was in attendance at the meeting to provide an overview of the entire Comprehensive Planning process. Mr. Shardlow briefly commented on the various chapters incorporated in the Comprehensive Plan. The chapters included were the Forward and Executive Summary; the Introduction and Overview of the Planning Process; the Background Studies; Inventory and Analysis; Communities Vision Goals and Policies; General Plan and the Implementation.

Keith Nelson, City Engineer, addressed several minor changes in the proposed Future Land Use Map.

It was the general consensus of the council the changes addressed be revised as well as the following:

- 1) The designation "Multi-Family/Manufactured Housing" could include R2 zoning as well as higher density designation.

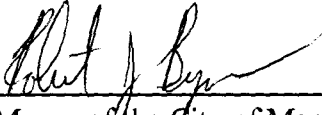
SPECIAL MEETING - JULY 22, 1996

- 2) The property at the NW corner of Saratoga Street and Highway 23 By-Pass be designated at Low Density vs the High Density that is currently on the Land Use Map.
- 3) The property lying South of Madrid Road East of Channel Parkway, North of the Railroad and West of residence along Rainbow Drive remain an industrial designation.

There was a concern expressed in regard to the identifying of future land uses of those properties beyond the proposed Land Use Plan. Councilperson Roggeman indicated that it is the intent of the Planning Commission to address those properties beyond the proposed Land Use Plan.

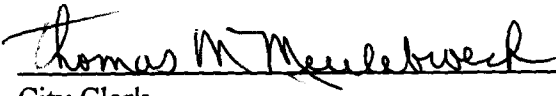
Roggeman moved, Robley seconded, the adoption of RESOLUTION NUMBER 1903, SECOND SERIES and that the reading of the same be waived. Resolution Number 1903, Second Series is a resolution adopting the Comprehensive Plan for the City of Marshall, Minnesota. All voted in favor of the motion.

With no further business brought before the City Council meeting, Edblom moved, Roggeman seconded, the meeting be adjourned. All voted aye.



Mayor of the City of Marshall

ATTEST:



City Clerk

REGULAR MEETING - AUGUST 5, 1996

The regular meeting of the Common Council of the City of Marshall was held on August 5, 1996. The meeting was called to order at 7:30 p.m. by Mayor Byrnes in the Council Chambers of the Marshall Municipal Building. In addition to Byrnes, the following members were present: Robley, Doyle, Edblom, Roggeman, Boedigheimer and Stores. Absent: None.

The Pledge of Allegiance was recited at this time.

It was the general consensus of the City Council that the agenda be approved with the deletion of Item #3 which was the consideration of awarding the bid for a rotary snow blower for the Street Department and the deletion of Item #6 which was a public hearing in consideration of an adoption of an ordinance for the rezoning of the Marshall Lumber Company property at 800 East Main Street.

Edblom moved, Robley seconded, that the minutes of the regular meeting held on July 15, 1996 and the minutes of the two special City Council meetings held on July 22, 1996 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

Bids were received, opened and read on July 31, 1996 at 10:00 a.m. in the Council Chambers of the Marshall Municipal Building for the bituminous overlay and seal coating for various streets in the City of Marshall, Project #1996-001. Bids received, opened and read were from: Central Specialties, Inc., Alexandria, Minnesota in the amount of \$121,560.08 and McLaughlin and Schulz, Inc., Marshall, Minnesota in the amount of \$109,567.25. Doyle moved, Edblom seconded, the bid for the 1996 bituminous overlay and seal coating for various streets within the City of Marshall, Project #1996-001, be awarded to McLaughlin and Schulz, Inc., Marshall, Minnesota in the amount of \$109,567.25. All voted aye.

This was the date and time set for a public hearing for the preliminary plat for Viking Addition Plat 9. City Engineer/Public Works Director, Keith Nelson, reviewed the preliminary plat with those in attendance at the meeting. D.C. McFarland addressed the plat and was concerned with the City fee of \$100 per acre for the platting and also the requirement that the developer pay the City five percent of the unimprovement land cost of the property to be platted for a park assessment and where this money that was set aside for park assessment would be utilized. With no further questions or concerns brought before the public hearing, Doyle moved, Stores seconded, the public hearing be closed. All voted in favor of the motion.

Boedigheimer moved, Stores seconded, the preliminary plat for Viking Addition Plat #9 be approved as presented with the understanding that the park assessment be included as a provision in the final plat. All voted in favor of the motion.

This was the date and time set for a public hearing to vacate an alley and right-of-way in Block 1 Eastman's Addition. With no questions or concerns brought before the public hearing, Robley moved, Doyle seconded, the public hearing be closed and the adoption of ORDINANCE NUMBER 360, SECOND SERIES, and that the reading of the same be waived. Ordinance Number

REGULAR MEETING - AUGUST 5, 1996

360, Second Series, is an ordinance vacating a public alley and right-of-way in the City of Marshall. This public alley lies between Lots 1 through 5 and Lots 6 through 10 in Block 1 Eastman's Addition to the City of Marshall. All voted in favor of the motion.

Robley moved, Stores seconded, the adoption of RESOLUTION NUMBER 1904, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1904, Second Series, is a resolution approving the final plat of Minnesota Corn Processors Industrial Park First Addition. All voted in favor of the motion.

Stores moved, Roggeman seconded, the proper City personnel be authorized to receive quotations for the relocation of the Industrial Park sanitary sewer line crossing the Diversion Channel. This 15 inch sanitary sewer line is located west of the railroad line between North Seventh Street and Trunk Highway 59. This sanitary sewer line needs to be relocated prior to the work that needs to be done as part of the stage one of the Marshall Flood Control Project. All voted in favor of the motion.

Boedigheimer moved, Edblom seconded, the proper City personnel be authorized to advertise for bids for the construction of the sanitary sewer forcemain from the main lift station to the Wastewater Treatment Plant. This forcemain will consist of approximately 1 1/2 miles of 20 inch pipe and will replace a 16 inch ductile pipe which is severely deteriorated. Bids for this project will be received on September 11, 1996. The estimated cost of this project is \$600,000. The sale of land to the Minnesota Corn Processors for the Industrial Park First Addition is intended to pay a portion of this project with the remaining amount to be financed through the sale of bonds. All voted in favor of the motion.

Roggeman moved, Doyle seconded, the proper City personnel be authorized to enter into an agreement with Group II Architects to prepare plans and specifications for the replacement roofing and wall rehabilitation at the Wastewater Treatment Plant and the Fire Station. The cost for the consultant services will not exceed \$6,800. All voted in favor of the motion.

Marvin Bahn, Director of Public Safety, was in attendance at the meeting to discuss with the Council concerns he had received from residents who live in the area to the West of the Marshall Senior High School and in the areas of Deschepper, James and Robert Streets. A recommendation that was made to the City Council is that Deschepper Street and James Street intersections be made a four-way controlled stop intersections by having four stop signs erected there and that there be two stop signs erected on Deschepper Street at the Robert Street intersection. Following a discussion in regard to the placement of these stop signs, Boedigheimer moved, Doyle seconded, a recommendation be tabled to the August 19, 1996 City Council meeting to allow for the Public Improvement/Transportation Committee to review this recommendation. All voted in favor of the motion.

Upon the recommendation of Keith Nelson, City Engineer/Director of Public Works, Boedigheimer moved, Stores seconded, the approval of Change Order #1 in the amount of \$6,799.67 which was an increase in the contract with McLaughlin and Schulz Inc. for Project #1995-003 this

REGULAR MEETING - AUGUST 5, 1996

project is the O'Connell Street construction from Trunk Highway 19 to State Street. This Change Order is a result of additional quantities that were needed to complete the project and also for a work order in the amount of \$1,575.00 to install 500 square yards of fabric to stabilize the subgrade and four (4) extra catch basins. All voted in favor of the motion.

Previously the City Council had authorized an \$800 contribution towards the cost associated with the public right-of-way issue facing cities in the State of Minnesota. Correspondence was received from the League of Minnesota Cities requesting \$868 as a voluntary contribution from the City of Marshall to assist the League in moving forward with an aggressive work program and financing plan to counter the challenges that they are confronting cities in regards to the public right-of-ways. Robley moved, Stores seconded, that in addition to the \$800 that was previously approved to assist the League with the cost it will incur in dealing with the public right-of-way issues and that the \$68 be authorized for payment and transferred from the Mayor and Council Contingency 101-401401-6810 to the Cable Commission Account 101-406406-3301. All voted in favor of the motion.

Doyle moved, Roggeman seconded, the proper City personnel be authorized to execute the audit engagement letter with the City of Marshall auditor's Larson Allen Weishair and Company with a statement added to the agreement that this engagement letter is subject to all terms contained in the original audit agreement between the City of Marshall and Larson Allen Weishair and Company dated December 18, 1995. All voted in favor of the motion.

Robley moved, Stores seconded, the adoption of RESOLUTION NUMBER 1905, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1905, Second Series, is a resolution designating the polling locations, authorizing the appointment of election judges and setting the rate of pay for the primary election on September 10, 1996 and the general election on November 5, 1996. All voted in favor of the motion.

Per the approval of the Minnesota Department of Transportation, Roggeman moved, Doyle seconded, Main Street be closed at 10:30 a.m. on September 21, 1996 from 5th Street to 1st Street for the "Pursuit of Excellence" Southwest Minnesota Marching Festival and also Main Street be closed on Saturday, September 28, 1996 at 10:00 a.m. for the Southwest State University Homecoming Parade from the intersection of "C" Street and Main Street to 5th Street and Main Street. All voted in favor of the motion.

The Personnel Committee of the City Council has reviewed the salaries for the Councilmembers and Mayor. Councilperson Roggeman reviewed information with the City Council in regard to the Personnel Committee's review and it was the recommendation that no action be taken at this time but that the salaries of the Councilmembers and Mayor would be considered at the next Personnel Committee meeting to be held on August 20, 1996.

Upon the recommendation of Mayor Byrnes, Edblom moved, Roggeman seconded, that Robert Kaufman be appointed to the Economic Development Authority for a term to expire on May 31, 2002 and John DeCramer be appointed to the Marshall Municipal Utilities Commission for a term

REGULAR MEETING - AUGUST 5, 1996

to expire on May 31, 2001. All voted in favor of the motion.

Per the recommendation of City Administrator Mike Johnson, Doyle moved, Robley seconded, the proper City personnel be authorized to execute a Project Cooperation Agreement between the Department of the Army and the City of Marshall for the construction of the Flood Control Project on the Redwood River at Marshall, Minnesota. All voted in favor of the motion.

Edblom moved, Stores seconded, the proper City personnel be authorized to execute an escrow agreement for the construction of the Flood Control Project at Marshall, Minnesota. This agreement between the City of Marshall and Norwest Bank Minnesota Southwest and the Federal Government will be used to administer the funds necessary for the construction of this project. All voted in favor of the motion.

Edblom moved, Doyle seconded, BE IT RESOLVED, that the proper City personnel be authorized to advise the State of Minnesota Charitable Gambling Control Board that they have approved the application for Authorization to Conduct Excluded Bingo for the American Legion Post 199 for operation at the Lyon County Fairgrounds, Marshall, Minnesota on August 8th through August 11, 1996. All voted in favor of the motion.

Reports by the Mayor and Councilmembers of the various committees, commissions and boards were presented at this time:

- | | |
|--------------|--|
| Byrnes | <u>RDC</u> - is organizing the Mayors Coalition. <u>Fire Relief</u> - reports were included with the Council agenda. |
| Roggeman | <u>Housing</u> - has had two special meetings preparing for the interviews for the new coordinator. <u>Community Services</u> - Doug Goodmund was commended for the work that he had done on the TRAM Project. <u>Personnel Committee</u> - has been discussing the salaries for the Mayor and Councilmembers and has also been working on the employee salary negotiations. |
| Stores | <u>Hospital Board</u> - did discuss the improvement projects at the hospital at a special meeting held on July 22, 1996. <u>Marshall Celebrates Committee</u> - the various committee chairs will meet to choose a publisher for their book. <u>City-County Joint Meeting</u> - did meet in July and on August 1 and did agree to further review the draft budget for the library. |
| Edblom | <u>Utilities Commission</u> - Mr. Edblom expressed his appreciation to the Councilmembers who attended their meeting. Utilities have approved their Drug and Alcohol Policy. |
| Boedigheimer | <u>Senior Citizen Commission</u> - met on July 30 at a special meeting to review their budget. <u>Joint Law Enforcement Committee</u> - they have been a number of meetings since March and he did feel that it was time that a joint meeting |

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of the County Commissioners and Councilmembers be held.

- Robley Lyon County Enterprise Development - has hire a new facilitator Mark Veglahn.
- Doyle Insurance Advisory Commission - minutes are included with the agenda packet. Library Board - minutes are included with the Council agenda packet as well.

Other items of concern brought forth by the Mayor and Councilmembers included: An update by Keith Nelson, City Engineer/Director of Public Works, on the improvements at the Marshall Municipal Airport. Mr. Nelson did indicate that the improvements are behind schedule approximately 2 weeks. The Council was advised that the Lyon County Soil and Water Conservation District does have grant monies available for improvements to river banks for river bank stabilization. The Councilmembers were appreciative of the information that was provided to them in regard to the proposed improvements of the Group Home on South 4th Street. A concern was expressed in regard to the trees and branches that are obstructing stop signs in various locations throughout the City. The Police Department was encouraged to identify these locations so the proper City personnel could follow up and take care of the problem areas. The City Council did recognize the many events that are taking place within the City of Marshall which helps promote the City. Mike Johnson, City Administrator, updated the City Council on the lawsuit brought against the City by Richard Knutson, Inc. for the trunk sewer line improvement project. Mr. Johnson indicated that he has tried to keep the City Council update on the activities of the joint law enforcement committee by the various memos that have been provided to them. City Attorney Brian Murphy indicated to the City Council that the City of Minneota is considering the North Memorial Ambulance Service.

Edblom moved, Doyle seconded, and it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE VOUCHER #67167 through 67342.

The following building permits previously approved by the building official were confirmed:

Cathy DeRuyter
617 West Redwood Street
Deck
\$800

Hisken Construction
420 North 5th Street
Reroof
\$5,000

Evan Griffiths
308 West College Drive
Garage
\$2,100

Steve Baumann Construction
308 Rainbow Drive
Reside Dwelling
\$3,000

Steve Baumann Construction
805 West Main Street
Reroof Dwelling
\$3,900

Mike Buysse Construction
305 West Marshall Street
Garage
\$8,000

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Babcock Construction
902 Pine Avenue
Reside Dwelling
\$3,400

Evan Griffiths
308 West College Drive
Install Windows
\$500

Ken's Karpentry & Krafts
602 Donita Avenue
Egress Window
\$600

Marv Williams
105 South Whitney Street
Replace Windows
\$2,000

Jason Jants
1102 South 4th Street
Finish Basement
\$6,000

Bladholm Construction
601 Ontario Road
Remodel Office
\$16,000

Gary Barber
1111 Bruce Circle
Deck
\$2,300

Ken D. Mukomela
204 Park Avenue
Remodel Deck
\$500

Daniel and Kirsten Marks
306 East Lyon Street
Finish Basement and Install Window
\$1,000

Curt Mercie
1103 Hackberry Drive
Utility Shed
\$500

Brenda Lindstrom
112 Spruce Lane
Safety Disclosure Repair
\$400

Sussner Construction
600 Michigan Road
Reside Building
\$74,300

Ted and Julie Geary
902 Pine Avenue
Deck
\$700

Carew Properties, Inc.
1310 Birch Street
Remodel Office
\$2,000

George Jacob Construction
137 "E" Street
Reside Garage
\$2,000

George Johnson
106 East Saratoga Street
Reroof Garage
\$200

Steve Tutt Construction
1203 Parkside Drive
Window Replacement
\$1,500

Kim Jergenson
1212 Parkside Drive
Finish Basement and Install Window
\$3,000

Bruce Egeland
411 Mason Street
Dwelling and Garage Additions
\$16,500

Hiller Development Company
1111 & 1113 Eastwood Avenue
Two-Family Dwelling
\$134,000

REGULAR MEETING - AUGUST 5, 1996

The Country Stop, Inc.
1206 East College Drive
Temporary Structure
\$0

Steven L. Otto
403 South 4th Street
Demolish Garage
\$0

Rick Hansen Construction
1107 Washington Avenue
Replace Steps
\$800

Stan and Conni Stensrud
107 Marlene Street
Replace Windows
\$800

James Bursack
352 Timberlane Drive
Safety Disclosure Repairs
\$800

William Weidauer
600 East Southview Drive
Three-Season Porch
\$2,500

Brad's One Stop Plus
1217 East College Drive
Impound Fence
\$4,000

Liquid Corn, Inc.
601 Ontario Road
Manufacturing Plant
\$175,000

Upon motion made by Roggeman, seconded by Stores, the meeting was adjourned. All voted aye.



Mayor of the City of Marshall, Minnesota

ATTEST:



Finance Director/City Clerk

REGULAR MEETING - AUGUST 19, 1996

The regular meeting of the Common Council of the City of Marshall was held on August 19, 1996. The meeting was called to order at 7:30 p.m. by Mayor Byrnes in the Council Chambers of the Marshall Municipal Building. In addition to Byrnes the following members were present: Doyle, Edblom, Roggeman, Boedigheimer and Stores. Absent: Robley.

The Pledge of Allegiance was recited at this time.

It was the general consensus of the City Council that the agenda be approved by adding to it the consideration of the Fire Chief Dave Marks being granted out-of-state travel to attend an international conference in Kansas City, Missouri, on August 24 and 25, 1996.

Roggeman moved, Doyle seconded, that the minutes of the regular meeting held on August 5, 1996 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

On July 31, 1996 bids were received, opened and read for a snow blower for the Street Department. The bids were divided into three proposals which were as follows:

Proposal A - Purchase a new snow blower less the trade in of a 1982 MP3D Sno-Go Snow Blower.

Proposal B - Purchase of a new snow blower only.

Proposal C - The sale of the existing snow blower only.

The bids received, opened and read were from:

MacQueen Equipment - Proposal A which was to furnish a new rotary snow blower with the trade-in of 1982 MP3D Snow-Go Snow Blower the bid was \$66,964, for Proposal B to purchase a rotary snow blower only, the bid was \$88,264. The City of Glenwood, Minnesota submitted a bid for the 1982 MP3D Snow-Go Snow Blower in the amount of \$32,000. Keith Nelson, City Engineer/Public Works Director, reviewed three options as they relate to the snow blower for the Street Department. The first option was to do nothing and keep the existing 1982 snow blower. Option 2 was to upgrade the existing 1982 model snow blower for \$28,156.22. It was estimated that the resale in five years would be approximately \$20,000. Option 3 was to sell the existing 1982 model snow blower to the City of Glenwood for \$32,000 using that amount as the downpayment to purchase a new snowblower for \$56,264 from MacQueen Equipment with a resale in 10 to 15 years estimated at \$50,000. Per the recommendation of City Engineer/Director of Public Works Keith Nelson, Boedigheimer moved, Edblom seconded, the proper City personnel be authorized to purchase a snow blower from the Street Department from MacQueen Equipment in the amount of \$88,264 and the existing 1982 MP3D Snow-Go Snow Blower be sold to the City of Glenwood in the amount of \$32,000 and that the proper City personnel be authorized to negotiate the lease/purchase arrangement for the purchase of this equipment for a five year period of time. In the 1996 budget there is \$15,000 for the lease/purchase of this equipment. All voted in favor of the motion.

REGULAR MEETING - AUGUST 19, 1996

Be it noted the arrival of Councilperson Robley.

Upon the recommendation of the Planning Commission, Roggeman moved, Doyle seconded, a Variance Adjustment Permit be granted to Mike Orthaus/Southwest Properties Inc. for a rear yard setback of 10 feet in lieu of 25 feet as required by ordinance in a I-2 General Industry District at 900-902 West College Drive to construct a warehouse building. All voted in favor of the motion except Boedigheimer who abstained.

Marvin Bahn, Director of Public Safety, and Kathy Keena, Lyon County Attorney, were in attendance at the meeting to discuss with the City Council the grant application for the Police Accountability Conferencing Program which is designed for early intervention by the Police Department personnel to address first time juvenile offenders. The application is directed toward the Prevention and Intervention Fund by the Minnesota Department of Children, Families and Learning. The major goal of this program is to alleviate the recidivism of juvenile offenders by giving them and the victim a chance to meet face to face in regard to the offense. The funding request is for approximately \$50,000 for the Police Department to cover costs of staff, equipment and advertisements. There is no matching financial obligation to the City of Marshall. Staff power for the project will be handled utilizing current part time officers to fill the shifts of the two Police Conferencing Officers, when they are attending to conferencing requirements. There will be no need to hire additional personnel for this program.

Stores moved, Robley seconded, the proper City personnel be authorized to submit a grant application to the Police Accountability Conferencing Program which is designed for early intervention by the Police Department personnel, to address first time juvenile offenders. The amount of this grant is estimated to be approximately \$50,000. All voted in favor of the motion.

Doyle moved, Roggeman seconded, the proper City personnel be authorized to execute the Stage 1 of the Marshall Flood Control Project Local Cooperation Agreement for Right-of-Way-Entry. This agreement allows U.S. government employees and contractors to work on City of Marshall property for the Flood Control Project. All voted in favor of the motion.

Upon the recommendation of City Engineer/Public Works Director Keith Nelson, Boedigheimer moved, Edblom seconded, the approval of Change Order #1 which was a reduction in the contract in the amount \$3,492.16 with Bartz Excavating for the Project # 1995-001 which was the storm sewer improvement on "A" Street. This change order was a result of the quantities needed for the project were less than what was originally bid. All voted in favor of the motion.

Edblom moved, Robley seconded, the proper City personnel be authorized to advertise for a dump truck for the Street Department. The new truck would be used by the Street Department with an older truck being transferred to the Wastewater Treatment Plant and a 1978 truck from the Wastewater Treatment Plant would be sold or traded-in on the purchase of this new truck. All voted in favor of the motion.

REGULAR MEETING - AUGUST 19, 1996

Edblom moved, Robley seconded, the adoption of RESOLUTION NUMBER 1905A, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1905A, Second Series, is a resolution granting the proper City personnel to execute Agreement No. 75184 between the State of Minnesota Department of Transportation and the City of Marshall to install a new traffic control signal with Street lights on Trunk Highway 59 (Main Street) at the Southview Drive - Cemetery Entrance in Marshall, Lyon County, Minnesota. The estimated cost of this project is \$102,000 of which 80 percent would be paid by the Federal government, 10 percent by the State and 10 percent by the City. The City's 10 percent or \$10,200 would be paid from the "off system" State Aid money which is budgeted in the City's 1996 budget. All voted in favor of the motion.

A discussion was held at this time in regard to the suggestion to place a four way controlled stop at the intersection of DeSchepper Street and James Street and also a two way stop be erected on DeSchepper Street at the Robert Street intersection. These items are being discussed at the request of the neighbors in this area due to the problems that are occurring during the school term with students speeding, dumping refuse, etc. in this area. This concern is being addressed on this same date by the Marshall Public School Board at which time they are also addressing some policies that the school could consider for adoption. A suggestion was made that the school be given 60 to 90 days to implement the policies that they are considering and that if this does not resolve the problem that the City would readdress at that time. Mark Nellermoe, a resident in this vicinity, was in attendance at the meeting and did express an appreciation to the City for any support that they could provide to try and resolve the problem in the area. Marvin Bahn, Director of Public Safety, indicated that he would be willing to work with the school and monitor the area as it relates to the speeding, dumping refuse, and other problems in this area. It was the general consensus of the Council that this item be placed on the pending agenda items of the City Council for consideration at a later date. In the mean time the school will be given an opportunity to implement their policies and the area would be monitored by the Marshall Police Department.

Stores moved, Robley seconded, the adoption of RESOLUTION NUMBER 1906, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1906, Second Series, is a resolution approving the final plat of Westwood Acres Plat No. 4. All voted in favor of the motion.

Robley moved, Doyle seconded, the adoption of RESOLUTION NUMBER 1907, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1907, Second Series, is a resolution approving the final plat of Westwood Acres Plat No. 5. All voted in favor of the motion.

Per the recommendation of the Partnership Committee between representatives from the City and the Marshall Municipal Utilities, Stores moved, Roggeman seconded, to accept the recommendation of the Partnership Committee which include: the utility rate charges to the City of Marshall be \$151,000 for street lighting to be paid to the Marshall Municipal Utilities at a rate of 1/12 per month or \$12,583.33; that the City pay \$145,000 for fire protection to be paid to Marshall Municipal Utilities at the rate of 1/12 per month or \$12,083.33; and that the electric service charges be based on the monthly cost of service and that the Marshall Municipal Utilities will pay to the City of Marshall in lieu of taxes: \$558,000 to be paid at a rate of 1/12 per month or \$46,500; and that the Marshall Municipal Utilities continue to contribute \$15,000 to the EDA Fund which will continue

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through the year 1999; and that Energy Conservation Grants continue to be available subject to consideration of individual projects and based on a 50/50 match and that the Marshall Municipal Utilities Commissioner's stipend remain at \$75 per quarter. The City Attorney Brian Murphy was requested to review and draft a franchise fee ordinance to protect themselves financially in the event of retail wheeling. All voted in favor of the motion.

Doyle moved, Roggeman seconded, the adoption of RESOLUTION NUMBER 1908, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1908, Second Series, is a resolution authorizing the proper City personnel for the City of Marshall to enter into a contract with the State of Minnesota Department of Transportation to provide public transportation service in the City of Marshall for 1997. This application is being submitted with the understanding that the City will continue working with Western Community Action and Southwest Coaches for the future potential of administering and operating the City of Marshall's Transit System in 1997. This agreement is being submitted in the amount of \$184,050. All voted in favor of the motion.

Edblom moved, Stores seconded, a public hearing be scheduled for September 3, 1996 at 7:30 p.m. to consider a Small Cities Development Program Block Grant in the amount of \$600,000. The funds for this grant would be used to provide affordable home improvement loans to eligible home owners. The funds could be used for any type of permanent housing repairs such as electrical upgrades, furnace replacements, roofing, windows and doors, painting and siding replacements. The newspaper and radio stations were encouraged to assist in getting the message to the public of the public hearing on September 3, 1996. All voted in favor of the motion except Robley who voted no.

Roggeman moved, Edblom seconded, a one day non-intoxicating beer license for the Marshall Hockey Association be approved for a one day fundraiser to be held at the Ice Facility at the Lyon County Fairgrounds on September 14, 1996. The fee for this license is \$15. All voted in favor of the motion.

Roggeman moved, Boedigheimer seconded, BE IT RESOLVED, that the proper City personnel be authorized to advise the State of Minnesota Charitable Gambling Control Board that they have approved the application for a One-Day Off-Site Lawful Gambling License for the Marshall Amateur Hockey Association, Marshall, Minnesota to be used at Lyon County Fairgrounds on September 14, 1996. This application was approved with the understanding that the 60 day waiting period would be waived. All voted in favor of the motion.

Doyle moved, Roggeman seconded, the approval of a transient merchants license for Charles F. Homier Jr., DBA Homier Distributing Company. The fee for this license is \$250 and is for the calendar year 1996. Homier Distributing Company will have a sale at the National Guard Armory of tools, electronics and general merchandise. All voted in favor of the motion.

Roggeman moved, Stores seconded, Dave Marks, Fire Chief, be granted out-of-state travel to attend the international conference in Kansas City, Missouri, on August 24 and 25 and that he be granted up to \$300 for this out-of-state travel. All voted in favor of the motion except Boedigheimer who abstained.

REGULAR MEETING - AUGUST 19, 1996

Reports by the Mayor and Councilmembers of the various committee, commissions and boards were presented at this time:

Byrnes	<u>RDC</u> - is monitoring the construction of their new facility.
Roggeman	<u>Housing</u> - they have completed the process of the interviews for the executive director position. It is anticipated that they will receive CIAP Funding in 1997 of approximately \$200,000 to be used on repair of windows on family units. <u>Planning Commission</u> - City Council considered most of the items that were addressed at the Planning Commission meeting. The Planning Commission members are interested in looking and reviewing the processing of Conditional Use Permits. <u>Personnel Committee</u> - will be meeting on August 20, 1996 with Cy Smythe of Labor Relations.
Stores	<u>Marshall Celebrates Committee</u> - many of the details are coming together in planning the celebration. <u>Hospital Board</u> - did discuss the Prairie Net Consortium and are looking at ways for the fiber net link in helping the hospital. Representatives from the hospital intend to come to the Legislative and Ordinance meeting to discuss the tobacco ordinance. They are planning a retreat as to how and who to integrate with. The new apartments in the Hill Street addition will be open the weekend of August 24 and 25. A concern was expressed in regard to the storm sewer in the area of the new addition to Hill Street Place and it was indicated that there will be no major improvements to the storm sewer until it is determined how the construction and minor storm sewer change affects the current system. The hospital is looking at replacing the 1975 elevators. The hospital is working with the bond and legal counsel in regard to a \$6,500,000 bond issue.
Edblom	No reports.
Boedigheimer	No reports.
Robley	<u>Lyon County Enterprise Development Commission</u> - did meet with the new facilitator.
Doyle	No reports.
Roggeman	<u>Community Service Board</u> - did meet with representatives from the University of Minnesota as the City is the recipient of a grant for a park study.

Other items of concern brought forth by the Mayor and Councilmembers included: An announcement by Councilperson Robley that he would be resigning from the City Council and moving to Colorado Springs, Colorado. Therefore, Robley moved, Stores seconded, the consideration of resolution declaring a vacancy on the Common Council and providing for a special

REGULAR MEETING - AUGUST 19, 1996

election be placed on the agenda. All voted in favor of the motion.

Robley moved, Roggeman seconded, the adoption of RESOLUTION NUMBER 1909, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1909, Second Series is a resolution declaring a vacancy in the Common Council and providing for a special election to fill the vacancy of Larry Robley who is resigning from the City Council 3rd Ward effective December 1, 1996. All voted in favor of the motion.

In a recent League Bulletin there was an article on elections and the use of students as election judges. It was suggested that a contact be made with the Political Science Department at SSU to determine if there is an interest in students assisting with the election process.

A concern was expressed in regard to the ownership of the Lyon County Impound and the operations of this facility.

Councilperson Boedigheimer reported to the Council on the Coalition of Greater Minnesota Cities meeting that he had attended.

The pending agenda items that were briefly discussed at this time were: The Ways and Means Committee meeting to consider the 1997 budget and the status of the TIF study that was completed by Springsteds.

Stores moved, Doyle seconded, and it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE VOUCHER # 67343 through 67534.

The following building permits previously approved by the Building Official were confirmed:

Michael C. Paulson
702 West College Drive
Reroof Dwelling and Garage
\$3,000

Harry and Jaen Weilage
506 Pleasant Street
Garage
\$5,500

Pauline Vogl
503 Lawrence Street
Install Window and Remodel Basement
\$1,000

Carew Properties, Inc.
1306 Birch Street
Repair Exterior Wall
\$2,500

Dan Satron
608 Elaine Avenue
Reside Dwelling
\$7,400

Schwan's Sales Enterprises, Inc.
105 East Greeley Street
Demolish Garage
\$0

REGULAR MEETING - AUGUST 19, 1996

Mark Pfeifer
406 North 6th Street
Dwelling Remodeling -- Additional Work
\$68,000

Hess Construction
601 North Highway 59
Sign
\$200

Steve Baumann Construction
120 "F" Street
Reroof
\$2,600

Randy Peterson
205 South 4th Street
Garage
\$16,000

Elwood Miller
800 East Main Street
Move Out Storage Building
\$0

Elwood Miller
200 South 11th Street
Move In Storage Building
\$30,000

Robert L. Carr Co.
800 East Main Street
Commercial Building
\$300,000

Gary LaVoy
318 South 6th Street
Move Out Garage
\$0

Glen Whitsitt
106 Fremont Street
Garage Floor and Install Dwelling Window
\$1,000

James Haar
502 DeSchepper Street
Install Garage Doors/Veneer
\$2,000

Geske Building & Supply
601 Dogwood Avenue
Install Window
\$3,000

Steve Baumann Construction
904 Woodfern Drive
Garage -- Phase II
\$5,000

Geske Building & Supply
620 Thomas Avenue
Reside Dwelling
\$6,300

Doug Schlorf
406 Hudson Street
Prefabricated Building
\$10,000

Bakke's Home Repair & Const.
604 Kendall Street
Install Door and Construct Deck
\$4,500

Babcock Construction
305 Hudson Street
Reside Dwelling
\$4,200

Dave Regnier
100 South 10th Street
Remodel Garage
\$3,500

John and Marilyn Lund
103 Donita Avenue
Install Window
\$500

REGULAR MEETING - AUGUST 19, 1996

Steve Baumann Construction
603 Peltier Street
Reside Dwelling & Reside Garage
\$6,700

Gary and Marjory Becker
111 Park Avenue
Garage
\$25,000

The City Council was advised that there would be a special Planning Commission meeting to consider the rezoning of the Marshall Lumber property at 800 East Main Street.

The City Council was advised that the Police Department has identified the various intersections in the City of Marshall who are obstructed by various trees and branches and this information has been passed on to the Street Department to do the various trimming that is necessary so that various stop and yield signs throughout the City are more visible.

Upon motion made by Roggeman, seconded by Stores, the meeting was adjourned. All voted aye.



Mayor of the City of Marshall, Minnesota

ATTEST:



Finance Director/City Clerk

SPECIAL MEETING - AUGUST 26, 1996

A special meeting of the Common Council of the City of Marshall was held on August 26, 1996. The meeting was called to order at 5:15 p.m. by Mayor Byrnes in the Council Chambers of the Marshall Municipal Building. In addition to Byrnes, the following members were present: Robley, Doyle, Edblom, Roggeman, Boedigheimer and Stores. Absent: None.

Roggeman moved, Edblom seconded, the adoption of RESOLUTION NUMBER 1910, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1910, Second Series, is a resolution providing for a special election in the City of Marshall on November 5, 1996, on the question of whether the City of Marshall shall issue licenses for the sale of intoxicating liquor on Sundays. Dave Vandeputte on behalf of the various restaurants and liquor establishments addressed the request with the City Council. All voted in favor of the motion except Robley who voted no.

Robley moved, Roggeman seconded, the adoption of RESOLUTION NUMBER 1911, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1911, Second Series, is a resolution authorizing the proper City personnel to execute an easement for gas line in favor of the Minnesota Corn Processors. The City of Marshall is in need of obtaining a thirty foot easement along the westerly line and the southerly line of the Boerboom farm that MCP has purchased for the purpose of establishing a force main from the City of Marshall Lift Station to the intersection of Seventh Street and County Road 33. All voted in favor of the motion.

Stores moved, Doyle seconded, the proper City personnel be authorized to execute the Right of Entry and Release of Claim and Indemnity between the Burlington Northern Railroad Company and the City of Marshall for the purpose of cleaning and maintaining the existing Diversion Channel. All voted in favor of the motion.

Per the recommendation of the Weiner Memorial Medical Center Hospital Board, Doyle moved, Stores seconded, authorization be granted to the proper personnel to purchase chemistry analyzer in the amount of \$62,000 from Dade Chemistry Systems, Inc. The decision to accept the bid from Dade Chemistry Systems, Inc., was based on the evaluations performed by Weiner Memorial Medical Center laboratory, references contacted and the bids for the equipment and service/maintenance cost as submitted. All voted in favor of the motion.

Per the recommendation of the Weiner Memorial Medical Center Hospital Board, Edblom moved, Robley seconded, the bid for the roofing project of the hospital be awarded to Nieman Roofing Company, Inc., New Prague, Minnesota in the amount of \$103,665. All voted in favor of the motion.

Bids were received by the Weiner Memorial Medical Center for the Comprehensive Remodeling Projects Phase I and with an alternate #1 for the Radiology Addition. Per the recommendation of the Weiner Memorial Medical Center Board, Robley moved, Doyle seconded, the bid for the Phase I Comprehensive Remodeling Projects for the Weiner Memorial Medical Center be awarded to Bladholm Construction, Inc., Marshall, Minnesota in the amount of \$1,921,012 and

SPECIAL MEETING - AUGUST 26, 1996

that the alternate bid for the Radiology Addition be deleted with the understanding that this may be rebid when bids are received for Phase II. All voted in favor of the motion.

With no further business brought before the City Council meeting, Mayor Byrnes declared the meeting adjourned at 5:35 p.m.



Mayor of the City of Marshall, Minnesota

ATTEST:



Finance Director/City Clerk

REGULAR MEETING - SEPTEMBER 3, 1996

The regular meeting of the Common Council of the City of Marshall was held on September 3, 1996. The meeting was called to order at 7:30 p.m. by Mayor Byrnes in the Council Chambers of the Marshall Municipal Building. In addition to Byrnes, the following members were present: Robley, Doyle, Edblom, Roggeman and Stores. Absent: Boedigheimer.

The Pledge of Allegiance was recited at this time.

It was the general consensus of the City Council that the agenda be approved with the addition of Item #2E which was the consideration of a resolution in support of the Minnesota Department of Trade and Economic Development Small Cities Development Grant application and also the addition of Item #18A which was the consideration of the Flood Hazard Mitigation Grant Agreement.

It was the general consensus of the City Council that the minutes of the regular held on August 19, 1996 and the minutes of the special meeting held on August 26, 1996 be approved as presented and that the reading of the same be waived.

This was the date and time set for a public hearing to provide information and receive citizens comments regarding the submission of an application for the Minnesota Department of Trade and Economic Development for a Small Cities Development Program Block Grant by the City of Marshall to be utilized for the rehabilitation of owner occupied homes. The grant application is in the amount of \$600,000 which the proceeds generally designated for undertaking of any type of permanent housing repairs such as electrical upgrades, furnace replacements, roofing, windows and doors, painting and siding replacements. City Administrator Mike Johnson provided introductory comments to this public hearing. Mr. Johnson then introduced Kurt Keena. Kurt Keena reviewed with the City Council and others at the meeting the grant application fact sheet, the total cost allocation for the project in the amount of \$674,000 and how this is allocated between the Small Cities Development Program, the City of Marshall and other public funds and also addressed the key reasons for the City participation in this program. Mr. Keena indicated that the funds available under this grant are allocated to 25 owner occupied homes and to 15 renter occupied housing units.

Be it noted the arrival of Councilperson Boedigheimer.

Following the review, questions and comments from the City Council, Doyle moved, Edblom seconded, the public hearing be closed. All voted in favor of the motion.

Doyle moved, Stores seconded, the adoption of RESOLUTION NUMBER 1912, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1912, Second Series, is a resolution establishing a Residential Antidisplacement, Relocation Assistance and Displacement Minimization Plan for the City of Marshall. This resolution was adopted with the understanding that the deferment payment period on home owner occupied residence be set at five years and for rental occupied homes the deferment period be established at seven years. All voted in favor of the motion except Robley who voted no.

REGULAR MEETING - SEPTEMBER 3, 1996

Stores moved, Edblom seconded, the adoption of RESOLUTION NUMBER 1913, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1913, Second Series, is a resolution of the City of Marshall adopting the Fair Housing Policy. All voted in favor of the motion.

Roggeman moved, Doyle seconded, the adoption of RESOLUTION NUMBER 1914, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1914, Second Series, is a resolution adopting the Small Cities Development Program Compliances. All voted in favor of the motion.

Stores moved, Doyle seconded, the adoption of RESOLUTION NUMBER 1915, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1915, Second Series, is a resolution of the local government in support of the Department of Trade and Economic Development for the funding of the Small Cities Development Program. All voted in favor of the motion except Robley who voted no.

Stores moved, Edblom seconded, the adoption of RESOLUTION NUMBER 1916, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1916, Second Series, is a resolution indicating the City of Marshall's support on the Minnesota Department of Trade and Economic Development Small Cities Development Grant Application. The City of Marshall will provide \$10,000 for the general administration activities for the City of Marshall Small Cities Development Program Grant. All voted in favor of the motion.

Harry Weilage, Director of Community Services, was in attendance at the meeting to review with the Council a proposal from the Women of Today to donate \$5,000 for pre-school playground equipment at Independence Park. The Community Services Board is in support of the donation from the Women of Today who intend to donate the \$5,000 over the next five years with semi-annual payments to be made in June and December of each year. It is also the recommendation of the Community Services Board that the cost of this pre-school playground equipment be included in the 1997 budget and included in the LawCon Grant purchase in 1997.

Mary Ahrendt, President of the Marshall Women of Today, addressed with the City Council their intent to donate the \$5,000 over the next five years for the pre-school playground equipment at Independence Park. Edblom moved, Stores seconded, to accept the donation of \$5,000 from the Marshall Women of Today and that the City move ahead with the partnership with the women of today for the acquisition of the pre-school playground equipment at Independence Park in 1997. All voted in favor of the motion except Boedigheimer and Robley who voted no.

REGULAR MEETING - SEPTEMBER 3, 1996

Jamie Dlugosch from Round Hill Financial Group and Dick Helde, Bond Counsel from Faegre & Benson, were in attendance at the meeting to review with the City Council the resolution for the \$6,500,000 Medical Center Gross Revenue Bonds. Stores moved, Doyle seconded, the adoption of RESOLUTION NUMBER 1917, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1917, Second Series, is a resolution providing for the issuance and sale of Medical Center Gross Revenue Bonds of the municipality to provide funds for medical center improvements. This bond issue is in the amount of \$6,500,000. All voted in favor of the motion.

Dave Frey, Wastewater Treatment Superintendent, and Keith Nelson, City Engineer/Director of Public Works, reviewed with the City Council a proposal submitted by Scientific Utilization, Inc. which would aid the Wastewater Treatment Plant digester system and the reducing of volatile solids. Scientific Utilization, Inc. has proposed the installation of the equipment for a nine month trial period. Should the system achieve the desired reduction in volatile solids the City would then be obligated to purchase or lease the system. The City's cost would include mechanical installation and operational costs plus \$5,000 per month for the final 3 months of the 9-month trial period. The purchase price that is being quoted for this system is \$174,680. Boedigheimer moved, Edblom seconded, the proper City personnel be granted authority to draft a request for proposal for the Wastewater Treatment Plant treatment of sludge, based on the information that was provided by the Wastewater Treatment Plant Superintendent, with the understanding that if the system as presented is not acceptable to the City that at the end of six months the City could terminate the agreement at no cost to the City. All voted in favor of the motion.

Douglas Palank discussed with the City Council the potential of development an Optimist Club in the City of Marshall. Mr. Palank gave a brief explanation of what the club is and what it does for men and women. Mr. Palank said that they need 25 members to charter an organization in the City of Marshall.

Mayor Byrnes called for a five minute recess at 9:15 p.m.

Edblom moved, Doyle seconded, the proper City personnel be authorized to make arrangements with an auctioneer for an auction of surplus City property. All voted in favor of the motion.

Marvin Bahn, Director of Public Safety, was in attendance at the meeting to discuss with the Council a Community Oriented Policing Services Grant application to the U.S. Department of Justice. Mr. Bahn indicated that under this grant an individual would be hired and used for Community Oriented Programs. This is a three year grant and after that time the City would not be required to retain the position but it is the hopes that by that time the program would be in a position that the City would be willing to continue the program. Following a discussion in regard to the grant application, it was the general consensus of the City Council to not participate in this grant application at this time but did express their support for the continuing efforts of community policing.

Marvin Bahn, Director of Public Safety, discussed with the Council the operation of the Lyon

REGULAR MEETING - SEPTEMBER 3, 1996

County Impound Center versus that of an adoption agency. Mr. Bahn reviewed with the City Council budgeted revenue and expenditures for the period 1993 to 1996. Following the discussion in regard to the Lyon County Impound Center and the Humane Society of Lyon County, Councilpersons Boedigheimer and Edblom agreed to be on a committee with the City staff, Lyon County Administrator Jorgensen and representatives from the Humane Society to discuss the physical responsibility of the Humane Society that of an adoption agency. The funding sources for the impound center and the formulation of agreement following a discussion of this operation.

Upon the recommendation of the Planning Commission, Edblom moved, Roggeman seconded, the introduction of an ordinance amending Chapter 11 of the City Code relating to zoning and that a public hearing be scheduled on September 16, 1996 at 7:30 p.m. This ordinance provides for the rezoning of the Marshall Lumber Company at 800 East Main Street from R-4/I-1/B-3 to B-3. All voted in favor of the motion.

Roggeman moved, Robley seconded, the introduction of an ordinance vacating an utility easement in the City of Marshall and that a public hearing be scheduled for September 16, 1996 at 7:30 p.m. This ordinance provides for the vacating of an utility easement in Lot 3 Park Place Addition to the City of Marshall, Minnesota. All voted in favor of the motion.

Stores moved, Doyle seconded, the proper City personnel be authorized to execute the utility easement between Schwan's Sales Inc. and the City of Marshall for the installation of sanitary sewer forcemain from the Main Lift Station to the Wastewater Treatment Facility Plant. All voted in favor of the motion.

Stores moved, Doyle seconded, the proper City personnel be authorized to purchase approximately 1/2 acre of property from John and Georgia Boerboom in the amount of \$3,000 for the installation of a sanitary sewer forcemain from the main lift station to the Wastewater Treatment Plant. All voted in favor of the motion except Boedigheimer, Roggeman and Robley who voted no.

Roggeman moved, Robley seconded, the introduction of an ordinance establishing the salary for the Mayor and Councilmembers effective January 1, 1997. The Councilmembers salary will be \$334.75 per month and the Mayors will be \$463.50 per month. The increase in these salaries are based on the previous years increase granted to other City employees. All voted in favor of the motion.

Roggeman moved, Stores seconded, the proper City personnel be authorized to execute the 1996-1997 Labor Agreement between the City of Marshall and LELS (Law Enforcement Labor Services, Inc.) as recommended by the personnel committee. All voted in favor of the motion.

Roggeman moved, Doyle seconded, the adoption of RESOLUTION NUMBER 1918, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1918, Second Series, is a resolution providing for the control signage in the City of Marshall. This resolution

REGULAR MEETING - SEPTEMBER 3, 1996

provides for the installation of a stop sign on the westbound leg of Stephen Avenue at the intersection of South 4th Street. All voted in favor of the motion.

Doyle moved, Edblom seconded, the adoption of RESOLUTION NUMBER 1919, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1919, Second Series is a resolution providing for control signage in the City of Marshall. This resolution provides for the removing of the stop sign on the eastbound leg of Elaine Avenue at the intersection of South 2nd Street. All voted in favor of the motion.

It was the general consensus of the City Council that the proper City personnel be authorized to move forward with the outlining of the responsibilities between a joint board comprising of the City and Western Community Action with the hope that specifications be developed to request third party bids.

Per the recommendation of Mayor Byrnes, Stores moved, Doyle seconded, Steve Lindstrom be appointed to the Marshall-Lyon County Library Board for a term to expire on December 31, 1998 and Lynn Barteck be appointed to the Senior Citizens Center Commission for a term to expire on May 1, 1999. All voted in favor of the motion.

Roggeman moved, Edblom seconded, the approval of a tobacco license in the amount of \$48 for 1996 and the approval of an off-sale non-intoxicating beer license in the amount of \$50 for 1996 for Video and Music Latin at 202 East College Drive. All voted in favor of the motion.

Robley moved, Doyle seconded, the proper City personnel be authorized to proceed with the negotiations of an agreement for the purchase of the computer financial software for the City of Marshall. All voted in favor of the motion.

Stores moved, Robley seconded, the proper City personnel be authorized to execute the Flood Hazard Mitigation Grant Agreement between the Minnesota Department of Natural Resources and the City of Marshall. This agreement provides for the State of Minnesota to pay the City of Marshall up to \$245,000 for Stage I of the Marshall Flood Control Project. All voted in favor of the motion.

Reports by the Mayor and Councilmembers of the various committees, commissions and boards were presented at this time:

Byrnes	No report.
Roggeman	No report.
Stores	No report.
Edblom	<u>Utility Commission</u> - will be holding a public hearing on the Water

REGULAR MEETING - SEPTEMBER 3, 1996

Treatment Plant on September 10, 1996 at 12:00 p.m. and 7:00 p.m.
Marshall Marketing Partnership - has developed a page for the internet. They have approved the partnership between the City of Marshall and the Municipal Utilities and they have approved a program for businesses to put in high efficiency lights.

Boedigheimer No reports.

Robley No reports.

Doyle No report.

Other items of concern brought forth by the Mayor and Councilmembers included: A concern with the road striping on Saratoga Street adjacent to the Marshall Senior High School. Keith Nelson, Public Works Director/City Engineer, indicated that they are re-evaluating the design for this striping adjacent to the high school parking lot and that this would be reviewed with staff at the high school.

Edblom moved, Doyle seconded, and it was unanimously approved that the following bills be authorized for payment including a payment to McLaughlin & Schulz Inc. in the amount of \$196,587.98 for the 1996 Airport Improvement Project. ACCOUNTS PAYABLE VOUCHER # 67535 through 67665.

The following building permits previously approved by the building official were approved:

Steven L. Otto
403 South 4th Street
Remodel Dwelling
\$3,500

James Stripling
700 Marguerite Avenue
Garage Addition
\$17,000

Paula Schneekloth
1200 South 4th Street
Install Window
\$800

Bruce Koch Construction
509 Lincoln Avenue
Replace Door
\$400

Cattoor Oil Company, Inc.
814 West Main Street
Canopy
\$17,500

Steven C. & Cynthia K. Ordemann
1002 North 4th Street
Reside Dwelling, Replace Windows & Door
\$4,600

Blia-Thae Moua
1001 East Fairview Street
Finish Basement Walls
\$500

Babcock Construction
420 North 6th Street
Reside Dwelling and Remove Windows
\$5,600

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Minnesota Corn Processors
400 West Erie Road
Manufacturing Building
\$40,000

Randolph Johnson
301 Hudson Avenue
Garage Addition
\$5,300

Geske Building & Supply
615 Winifred Drive
Reside Dwelling
\$7,200

George Jacob Construction
605 Paul Street
Reroof Dwelling
\$2,000

Elder Jones
1420 East College Drive
Remodel Retail Space
\$3,500

Kesteloot Construction
1112 Washington Avenue
Reside Dwelling
\$5,000

True Value Home Center
1203 Patricia Court West
Dwelling
\$125,000

Douglas J. Mosch
900 North Highway 59
Warehouse/Install Doors
\$3,400

True Value Home Center
212 DeSchepper Street
Garage Addition
\$9,000

G.R. Moberg
1002 Country Club Drive
Dwelling Addition
\$15,000

J.F. Taylor & Sons, Inc.
105 South 1st Street
Store Remodel
\$800

David J. & Barb Bergstrom
1305 Parkside Drive
Swimming Pool
\$4,000

Hiller Development Co.
1103 Indiana Jones Avenue
Prefabricated Dwelling
\$35,000

North Star Modular Homes
305 Legion Field Road
Free Standing Sign
\$2,500

Donna Renneke
309 Legion Field Road
Reroof Dwelling
\$500

Special City Council meetings were set for September 9, 1996 at 7:00 p.m. and September 11, 1996 at 7:00 p.m. to consider the budget and levy for 1997 and that a special meeting be held on September 23, 1996 at 5:15 p.m. to consider the TIF analysis prepared by Springsted's Inc.

REGULAR MEETING - SEPTEMBER 3, 1996

Upon motion made by Edblom, seconded by Stores, the meeting was adjourned. All voted aye.



Mayor of the City of Marshall, Minnesota

ATTEST:



Finance Director/City Clerk

SPECIAL MEETING - SEPTEMBER 9, 1996

A special meeting of the Common Council of the City of Marshall was held on September 9, 1996. The meeting was called to order at 7:09 p.m. by Mayor Byrnes in the Cottonwood Room of the Marshall Municipal Building. In addition to Byrnes, the following members were present: Robley, Doyle, Edblom Boedigheimer and Store. Absent: Roggeman.

The purpose of this special meeting was to consider the preliminary budget for the General Fund and preliminary levy for 1997. Mike Johnson, City Administrator, provided an overview to the City Council in regard to the increases and/or decreases in the expenditures in the area of personnel, operating and capital as proposed for 1997. Mr. Johnson indicated that in the area of personnel there is a position in the City Administrator's budget for personnel/data processing network administrator; the salaries are projected at a 3 percent increase; the increase in the Federal minimum wage is projected in the budget; a 5 percent increase in health insurance is projected; there is a provision in the Police Department budget for the severance pay for the retirement of the police chief; the Police Department budget has been reduced by one officer there is no personnel cost included in the 1997 budget for ambulance and there is an increase in the personnel hours in the transit due to the expansion in the hours as previously approved by the City Council.

Calvin Barnett, City Assessor, was in attendance at the meeting to review a handout to the City Council in regard to the estimate in 1997 payable tax base growth new construction in the City of Marshall and the estimated change in tax capacity.

The City Council did address its concerns with the Marshall-Lyon County Library operation and in particular as it relates to the Plum Creek operation.

A request was made that the Storm Water Utility budget be formulated as well as the 429 Public Improvement Budget for 1997.

A suggestion was made that the City potentially consider a City sales tax. Concerns were expressed as to how it would be implemented and if there is a length of time that it could be implemented for.

The capital outlay items were briefly discussed and it was indicated that there is approximately \$390,000 included in the budget for ADA Improvements and there was a concern expressed with these improvements if the City is looking at doing some renovations to City Hall. There were some other capital items that were questioned as to the necessity and potentially being deleted from the 1997 budget.

Mr. Johnson indicated that there is approximately \$34,000 in the Capital Outlay Budget for the data processing. Included in that \$34,000 is a \$15,000 payment for a three to four year lease and \$19,000 for other items that are needed to purchase to make the system more operational and efficient.

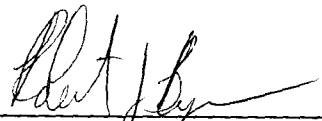
A discussion was held as to the potential dates for the Truth and Taxation Hearing.

SPECIAL MEETING - SEPTEMBER 9, 1996

It was the general consensus, that the Truth and Taxation Hearing be scheduled for December 5, 1996 at 7:00 p.m. with December 9, 1996 at 7:00 p.m. being the date for the continuation of the hearing if needed and that the final budget and levy for 1996 be considered at the regular City Council meeting on December 16, 1996.

The next special meeting to be held in regard to the 1997 budget for General Fund and the 1997 levy has been scheduled for 7:00 p.m. on September 11, 1996.

Upon motion made by Doyle, seconded Stores, the meeting was adjourned. All voted aye.



Mayor of the City of Marshall, Minnesota

ATTEST:



Finance Director/City Clerk

SPECIAL MEETING - SEPTEMBER 11, 1996

A special meeting of the Common Council of the City of Marshall was held on September 11, 1996. The meeting was called to order at 7:09 p.m. by Mayor Byrnes in the Cottonwood Room of the Marshall Municipal Building. In addition to Byrnes, the following members were present: Robley, Doyle, Edblom, Roggeman, Boedigheimer and Stores. Absent: None.

The purpose of this special meeting was to continue the discussions on the proposed 1997 General Fund Budget and the adoption of a resolution for this budget as well as a proposed tax levy for 1997.

Mike Johnson, City Administrator, provided a handout to the City Council that compared the Greater Minnesota Cities 1996 tax capacity rates for those cities of 8,000 population and above. Mr. Johnson also provided a breakdown of the total tax capacity rate paid by Marshall City residents for 1984 to the present as it compares to the City of Marshall, Lyon County, the School District and the Region 8 Welfare. Mr. Johnson reviewed the breakdown of the levy increase from 1995 to 1996. There is a 5 percent projected increase in the General Fund Levy a 7.8 percent increase in the Library Levy and a 84.2 percent increase in the Debt Service Levy. The increase in the Debt Service Levy is primarily due to a \$60,000 Debt Service for the Corp of Engineers Flood Project.

The City Council did have a lengthy discussion in regard to various aspects of the General Fund Budget and also the amount of levy for the Library and it was their consensus that the Library Levy be set at the 5 percent increase the same as the increase in the General Fund Levy. By increasing the Library Levy by 5 percent from 1995 to 1996 the proposed levy for 1996 would be \$332,135.

Boedigheimer moved, Edblom seconded, the adoption of RESOLUTION NUMBER 1920, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1920, Second Series, is a resolution adopting the proposed tax levy for 1997. The amount of the proposed levy is \$2,015,359. This levy provides for a decrease in the Library Levy from the proposed amount of \$341,079 to \$332,135. This resolution also provides for the Truth and Taxation Public Hearing to be held at 7:00 p.m. on Thursday, December 5, 1996 with the continuation hearing if necessary being set for December 9, 1996 at 7:00 p.m. All voted in favor of the motion.

Robley moved, Boedigheimer seconded, the adoption of RESOLUTION NUMBER 1921, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1921, Second Series, is a resolution adopting a proposed budget for 1997 for the General Fund which provided for revenues and expenditures to equal \$6,525,770 of which the revenues were supported by a tax levy of \$1,888,508. All voted in favor of the motion.

Upon motion made by Roggeman, seconded by Doyle, the meeting was adjourned. All voted aye.



Mayor of the City of Marshall, Minnesota

ATTEST:



Finance Director/City Clerk

REGULAR MEETING - SEPTEMBER 16, 1996

The regular meeting of the Common Council of the City of Marshall was held on September 16, 1996. The meeting was called to order at 7:30 p.m. by Mayor Brynes in the Council Chambers of the Marshall Municipal Building. In addition to Brynes, the following members were present: Robley, Doyle, Edblom, Roggeman and Stores. Absent: Boedigheimer.

The Pledge of Allegiance was recited at this time.

It was the general consensus of the City Council that the agenda be approved as presented.

Edblom moved, Doyle seconded that the minutes of the regular meeting held on September 3, 1996 and the minutes of the special meeting held on September 9, 1996 and September 11, 1996 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

Bids were received on September 11, 1996 at 2:00 p.m. in the Council Chambers of the Marshall Municipal Building for the Wastewater Forcemain Replacement Project. The bids received, opened and read were as follows:

Pipestone Concrete, Pipestone, MN	\$470,325.00
Gaub, Inc., Olivia, MN	\$493,850.00
H&W Contracting, LLC, Sioux Falls, SD	\$505,795.00
Duinick Bros., Inc., Prinsburg, MN	\$525,550.00
Hjerpe Corporation, Redwood Falls, MN	\$567,389.00
Bartz Excavating, Inc., Marshall, MN	\$585,594.12
Fagen, Inc., Granite Falls, MN	\$770,285.00

Per the recommendation of the consulting engineers, Rieke, Carroll, Muller and Associates, Inc., Roggeman moved, Robley seconded, the bid for the Wastewater Forcemain Replacement Project be awarded to Pipestone Concrete, Pipestone, Minnesota in the amount of \$470,325. All voted in favor of the motion.

This was the date and time set for a public hearing to consider an ordinance amending Chapter 11 of the City Code Relating to Zoning as requested for the Marshall Lumber Company at 800 East Main Street. City Engineer/Public Works Director Keith Nelson, conducted the public hearing and indicated the purpose of this public hearing was to consider the rezoning of the property owned by Marshall Lumber Company at 800 East Main Street. The property is currently zoned R-4/I-1/B-3 and the proposed ordinance is to change the entire property to B-3 General Business District. At a previous meeting a question was raised in regard to the runoff of this property onto adjacent properties. City Engineer/Public Works Director, Keith Nelson indicated that this concern has been addressed and was comfortable that it was acceptable to all affected properties. With no further concerns brought before the public hearing, Doyle moved, Edblom seconded, the public hearing be closed. All voted in favor of the motion.

Robley moved, Roggeman seconded, the adoption of ORDINANCE NUMBER 361, SECOND SERIES, and that the reading of the same be waived. Ordinance Number 361, Second Series is an ordinance amending Chapter 11 of the City Code relating to zoning. This ordinance

REGULAR MEETING - SEPTEMBER 16, 1996

provides for the rezoning of the Marshall Lumber Company at 800 East Main Street from R-4/I-1/B-3 to B-3 General Business District. All voted in favor of the motion.

This was the date and time set for a public hearing to consider the vacating of a utility easement in Park Place Addition, Lot 3. Keith Nelson, City Engineer/Public Works Director, conducted this public hearing. Mr. Nelson indicated that the easement being requested to be vacated is in the rear of the property at 204 Park Avenue. Mr. Nelson indicated that the vacating of this utility easement has been addressed with all utilities and they have all indicated they do not have a need for this utility easement. With no further concerns brought before the public hearing, Doyle moved, Roggeman seconded, the public hearing be closed. All voted in favor of the motion.

Edblom moved, Stores seconded, the adoption of ORDINANCE NUMBER 362, SECOND SERIES, and that the reading of the same be waived. Ordinance Number 362, Second Series, is an ordinance vacating a utility easement in the City of Marshall, Minnesota at 204 Park Avenue which is Lot 3 of Park Place Addition. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Edblom moved, Robley seconded, that a five year renewal of a Conditional Use Permit for a home occupation of electrical and electronics consulting services business in an R-1 One Family Residence District at 1203 Westwood Drive for C.G. Richeson be approved. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Robley moved, Stores seconded, a one year Conditional Use Permit for a home occupation for gun sales business in a R-1 One Family Residence District at 1307 Westwood Drive be granted to Arnold Zimmerman with the following conditions:

1. The business remain a special order business.
2. There would be no gun displays.
3. No mass merchandising.
4. No signs.

All voted in favor of the motion.

Paul Boerboom, Group II Architects, Sioux Falls, South Dakota, was in attendance at the meeting on behalf of Joe and Sarah Ektanitphong who were requesting a Conditional Use Permit for a four unit apartment in a B-2 Central Business District at 104 West Lyon Street. Mr. Boerboom indicated it is the intention of the Ektanitphong's to construct a three story building with a laundry mat on the first floor and apartments on floors two and three. Upon the recommendation of the Planning Commission, Stores moved, Edblom seconded, a Conditional Use Permit for a four unit apartment in a B-2 Central Business District/Downtown District at 104 West Lyon Street be approved as requested by Joe and Sarah Ektanitphong. All voted in favor of the motion.

Paul Boerboom, Group II Architects, Sioux Falls, South Dakota, did discuss with the City Council on behalf of Joe and Sarah Ektanitphong a Variance Adjustment Permit to construct a retail/apartment building with less off street parking than required by ordinance at 104 West Lyon Street. This variance adjustment had been considered at the Planning Commission meeting at which

REGULAR MEETING - SEPTEMBER 16, 1996

time they were requesting 14 off street parking spaces in lieu of 26 off street parking spaces as required by City ordinance. This request was denied by the Planning Commission. Mr. Boerboom did present to the City Council at this time a sketch of the proposed parking which identifies 17 parking stalls in lieu of the 26. Ed and Beth Weatherby who live at 100 West Lyon Street were in attendance at the meeting and did address their concerns with the parking for the proposed facility at 104 West Lyon Street and did not feel that there was adequate space for the parking in this area. It was indicated at this time that there is an adjacent owner who is in favor of the project but does object to the variance permit due to inadequate parking. Upon the recommendation of the Planning Commission, Roggeman moved, Stores seconded, the request for a Variance Adjustment Permit to construct a retain apartment building with less off street parking than required by ordinance at 104 West Lyon Street be denied. All voted in favor of the motion except Robley and Edblom who voted no.

Sheldon Kimpling, Chairperson for the Insurance Advisory Commission and also the agent for the City of Marshall's insurance with the League of Minnesota Cities through First American Insurance Agencies, was in attendance at the meeting to review with the Council the insurance renewal for property and liability insurance as well as the renewal of the liquor liability and airport liability. Per the recommendation of the Insurance Advisory Commission, Roggeman moved, Doyle seconded, the City of Marshall renew its property, auto, liability and umbrella insurance coverage with the League of Minnesota Cities through the First American Insurance Agency effective October 1, 1996 at a premium of \$174,268. All voted in favor of the motion.

Upon the recommendation of the Insurance Advisory Commission, Edblom moved, Roggeman seconded, the liquor liability insurance be renewed with St. Paul Companies for a premium of \$7,988 effective October 1, 1996. All voted in favor of the motion.

Upon the recommendation of the Insurance Advisory Commission, Roggeman moved, Robley seconded, the airport liability insurance be renewed with National Union (AIG) for a premium of \$3,250 effective October 1, 1996. All voted in favor of the motion.

Robley moved, Doyle seconded, the adoption of RESOLUTION NUMBER 1922, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1922, Second Series, is a resolution approving the final plat of New Thresholds Addition. The City Council was advised that the New Thresholds would be installing a water line and fire hydrant to this property. It was also indicated that they do have 30 days from the adoption of this resolution to pay the sanitary sewer fee. All voted in favor of the motion.

Doyle moved, Stores seconded, the approval of Change Order #1 for the contract with McLaughlin & Schulz, Inc. for the overlay and seal coating on various City streets within the City of Marshall. This change order was an increase in the contract of \$18,189.52. The original contract was based on quantities and the wastewater treatment plant had requested that their drive areas be seal coated and the Liquor Store requested that their parking lot be overlayed. All voted in favor of the motion.

City Engineer/Public Works Director Keith Nelson reviewed with the City Council two change orders for the 1996 Airport Improvement Project. This contract is with McLaughlin &

REGULAR MEETING - SEPTEMBER 16, 1996

Schulz, Inc., Marshall, Minnesota. The first change order was an increase in the contract of \$11,833.52 which was for additional work that was necessary on an area of apron pavement between the F.B.O. Hangar and the Schwan's Hangar. This work was required to accommodate draining that would have been blocked by the revised concrete apron grades. Change Order #2 was a request for a time extension of 27 days to the contract. The original contract completion time was September 15, 1996. The proposed completion date is October 12, 1996. Stores moved, Edblom seconded, the approval of Change Order #1 and Change Order #2 with the contract for McLaughlin & Schulz, Inc. for the 1996 Airport Improvement Project. Change Order #1 is an increase in the contract of \$11,833.52 to complete the necessary work for an area of apron pavement between F.B.O. Hangar and Schwan's Hangar which was needed to accommodate the drainage would have been blocked by the revised concrete apron grades and Change Order #2 is an extension of 27 days to the contract for the completion to be extended from September 15, 1996 to October 12, 1996. All voted in favor of the motion.

Keith Nelson, City Engineer/Director of Public Works, reviewed with the City Council the report the City of Marshall received from Group II Architects in regard to the reroofing projects for the Fire Station and Wastewater Treatment Plant. The estimate to repair the roof on the Wastewater Treatment Plant is \$48,000 and the estimate to repair the roof on the Fire Station is \$74,000. Robley moved, Stores seconded, the proper City personnel be authorized to advertise for bids for the reroofing projects at the Fire Station and Wastewater Treatment Plant. All voted in favor of the motion.

Edblom moved, Doyle seconded, the adoption of RESOLUTION NUMBER 1923, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1923, Second Series, is a resolution establishing a municipal City street beginning at the intersection of Fourth Street and Bruce Street in Marshall, thence northeasterly to the north corporate limits of Marshall, thence in a general northeasterly direction to the center of Section 34, T112N-R41W and there terminating. All voted in favor of the motion.

Stores moved, Robley seconded, the adoption of RESOLUTION NUMBER 1924, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1924, Second Series is a resolution establishing a municipal City street beginning at the intersection of Main Street and Fourth Street in Marshall, thence northeasterly on Fourth Street to Bruce Street and there terminating. All voted in favor of the motion.

Roggeman moved, Edblom seconded, the adoption of RESOLUTION NUMBER 1925, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1925, Second Series, is a resolution establishing a municipal City street beginning at a point approximately 1981 feet south of the center of Section 9, T112N-R41W and hereinafter described as the north edge of the westbound lane of T.H. 23; thence northerly on Saratoga Street to a point on West College Drive. All voted in favor of the motion.

Doyle moved, Stores seconded, the adoption of RESOLUTION NUMBER 1926, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1926, Second Series, is a resolution establishing Municipal State Aid Streets in the City of Marshall which includes Saratoga Street South from T.H. 23 to Southview Drive. All voted in favor of the motion.

REGULAR MEETING - SEPTEMBER 16, 1996

Robley moved, Roggeman seconded, the adoption of RESOLUTION NUMBER 1927, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1927, Second Series, is a resolution establishing Municipal State Aid Streets in the City of Marshall which include Saratoga Street South from Southview Drive to West College Drive. All voted in favor of the motion.

Doyle moved, Edblom seconded, the adoption of RESOLUTION NUMBER 1928, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1928, Second Series, is a resolution establishing Municipal State Aid Streets in the City of Marshall which includes Fourth Street North from West Main Street to Walnut Street. All voted in favor of the motion.

Robley moved, Stores seconded, the adoption of RESOLUTION NUMBER 1929, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1929, Second Series, is a resolution establishing Municipal State Aid Streets in the City of Marshall which includes Fourth Street North from Walnut Street to Bruce Street. All voted in favor of the motion.

Doyle moved, Robley seconded, the adoption of RESOLUTION NUMBER 1930, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1930, Second Series, is a resolution establishing Municipal State Aid Streets in the City of Marshall which includes Bruce Street from Fairview Street to center of Section 34, T112N-R41W. All voted in favor of the motion.

Stores moved, Roggeman seconded, the adoption of ORDINANCE NUMBER 363, SECOND SERIES, and that the reading of the same be waived. Ordinance Number 363, Second Series, is an ordinance amending the salaries and compensations of the Mayor and Councilmembers of the City of Marshall, Minnesota. This ordinance provides for the Councilmember's salary to be set \$334.75 per month and the Mayor's salary at \$463.50 per month effective January 1, 1997. The increase in these salaries are based on the previous years increase granted to other City employees. All voted in favor of the motion.

Roggeman moved, Doyle seconded, the adoption of RESOLUTION NUMBER 1931, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1931, Second Series, is a resolution appointing certain members to the City of Marshall Charter Commission and establishing their terms of office. The following appointments were made to the Charter Commission for a two year term expiring September 21, 1998 were: Richard Jorgensen, Paul Imm, Richard Branting and David Drown. Those appointed to a four year term to expire on September 21, 2000 included: Dan Stores, Dan Archbold, Larry Henle, Linda Erb, John Feda, Jay Ohlsen and Mary Meffert. All voted in favor of the motion.

Roggeman moved, Doyle seconded, the proper City personnel be authorized to execute the software license agreement between the City of Marshall and Precision Computer Systems for the financial software support and services as outlined in the agreement totalling \$37,840 and that the proper City personnel be authorized to negotiate the financial arrangements for a lease/purchase agreement for \$38,000 over two to three years which is the amount in excess of \$15,000 currently in the 1996 Data Processing Budget plus an additional \$15,000 for the hardware. All voted in favor of the motion.

REGULAR MEETING - SEPTEMBER 16, 1996

Reports by the Mayor and Councilmembers of the various committees, commissions and boards were presented at this time:

- Byrnes RDC - did attend to routine items at their most recent meeting. Fire Relief Association - has made a recommendation to adopt revised bylaws for their association.
- Roggeman Housing Commission - minutes are included with the agenda packets. Planning Commission - all items considered at their meeting were addressed at the City Council. Community Services - has reviewed their year-to-date revenues with the adopted budget for 1996.
- Stores Marshall Celebrates - will be meeting in the near future to undertake some major decisions and the proceeding with their planning for the 125th Celebration in July 1997. Hospital Board - is active in recruiting physicians; they are starting an adult day care program; they have began their Phase I on the remodeling; they have entered into a contract with Willmar Affiliated Med for radiologists; the budget for the fiscal year beginning October 1, 1996 was approved and on October 11, 1996 they will hold a retreat to work with the physicians on integration.
- Edblom Cable Commission - They addressed the cable franchise agreement.
- Robley No reports.
- Doyle Library Board - Did discuss the agreement that they have with Plum Creek Library Systems and he did indicate that they do currently have 3 vacancies in their staff.

Other items of concern brought forth by the Mayor and Councilmembers included: A concern with the Dutch Elm Tree Program and the City's policy. It was indicated that the City in prior years has discontinued this policy. A discussion was held in regard to City's week which October 6 -12 and that a number of staff members have been working on an open house to be held on October 5; Mayor Byrnes advised the Council that he would not be at the October 6, 1996 meeting; The City Council was advised to make arrangements with City Administrator Mike Johnson as to which Regional League of Cities meeting they would like to attend; The City Council was advised of a press release from Legislative Associates Inc. which indicated that the U.S. House of Representatives passed the fiscal year 1997 Energy and Water Appropriations Bill which included \$400,000 in additional funding for the Marshall Flood Control Project; Ed Cain from Legislative Associates would be at the special City Council meeting scheduled for September 23, 1996 to update the City Council on his activities with the Flood Control Project for the City of Marshall; and The City Council was also advised that on September 23 at 5:15 p.m. representatives from Springsted's would be at the special City Council meeting to view their report on the TIF Project Areas and Financing Districts.

REGULAR MEETING - SEPTEMBER 16, 1996

The pending agenda items that were reviewed were: The status of the welcoming signs to the City of Marshall. Work is continuing in regard to obtaining the proper easements for the installation of these signs. A suggestion was made that the Public Improvement/Transportation Committee meeting be held on October 15 to discuss the status of the stop signs on Deschepper and James Street and Robert Street in regard to the request of the neighbors in this area due to the heavy traffic when school is in session. It was indicated that the NSF check policy should be reviewed at the City Council meeting to be held on October 21, 1996.

Roggeman moved, Stores seconded, and it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE VOUCHER #67666 through 67859.

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

Robert Lindsay
112 Thomas Avenue
Partial Reside Dwelling
\$900

Babcock Construction
809 Westmar Circle
Reside Dwelling
\$5,800

Mike Buysse
1101 South 4th Street
Install Stairs
\$300

Sussner Construction
305 O'Connell Street
Sign Installation
\$4,500

Pascual Reyes
805 Colt Street
Finish Basement
\$4,200

E.J. Veldhuisen
202 Hudson Avenue
Storage Building
\$3,200

George Jacob Construction
107 South Whitney Street
Install Window
\$800

Kenneth D. Mukomela
204 Park Avenue
Three-Season Porch
\$7,000

James Haar
502 DeSchepper Street
Exterior Remodeling -- Additional Work
\$2,000

James R. Tate
904 Poplar Avenue
Remodel Bathroom
\$1,000

Kesteloot Construction
807 Brian Street
Attached Garage, Deck, Patio Door
\$8,100

John Strandberg
716 South 4th Street
Remodel Dwelling
\$6,000

REGULAR MEETING - SEPTEMBER 16, 1996

Alan M. Johnson
610 Elaine Avenue
Install Windows
\$3,000

KMHL Broadcasting Co.
1414 East College Drive
Exterior Remodeling
\$54,200

Gregg Mathiowetz
106 Kathryn Avenue
Reside Dwelling
\$9,000

MANUFACTURED HOME INSTALLATIONS

Gary and Elaine Kass
108 Lilac Drive

Upon motion made by Roggeman, seconded by Stores, the meeting was adjourned. All voted aye.



Mayor of the City of Marshall, Minnesota

Attest:



Finance Director/City Clerk

SPECIAL MEETING - SEPTEMBER 23, 1996

A special meeting of the Common Council of the City of Marshall was held on September 23, 1996. The meeting was called to order at 5:25 p.m. by Mayor Byrnes in the Cottonwood Room of the Marshall Municipal Building. In addition to Byrnes, the following members were present: Robley, Doyle, Edblom, Roggeman and Stores. Absent: Boedigheimer.

Keith Nelson, City Engineer/Director of Public Works, reviewed three quotations he had received for the hangar door foundation at the Marshall Municipal Airport. The quotations received were from:

Sussner Construction	\$5,790
Al Fuhrmann	\$11,140
Dulas Construction	\$6,770

Mr. Nelson indicated that several years ago the bifold doors of the F.B.O. hangar were replaced. The base on which the door closes is subject to frost heave and at times will not permit complete closure, therefore, a new frost protected foundation was designed to remedy the problem.

Doyle moved, Edblom seconded, the bid for the F.B.O. hangar door foundation be awarded to Sussner Construction in the amount of \$5,790. All voted in favor of the motion.

Be it noted the arrival of Councilperson Boedigheimer.

Stores moved, Robley seconded, the adoption of RESOLUTION NUMBER 1932, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1932, Second Series, is a resolution declaring the official intent regarding the reimbursement of expenditures with the proceeds of tax-exempt bonds. This resolution allows the City to finance a portion of the Corp of Engineers Project as funding becomes available from the State and Federal sources. It is the intent of City staff for the City to provide funding for the escrow on an interim basis between now and the end of December with permanent financing to be in place at that time. All voted in favor of the motion.

Mr. Ed Cain from Legislative Associates, Inc. was in attendance at the meeting to provide the City Council with an update on the funding situation of the U.S. Army Corp of Engineers Project.

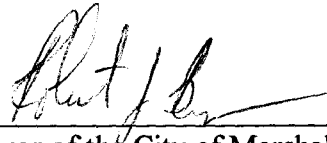
Mike Johnson, City Administrator, provided an introduction to the City Council and other members in attendance at the meeting in regard to the City of Marshall's Tax Increment Districts Report prepared Springsted's Inc. Gerard Shannon from Springsted's and Arlin Waelti of Gray, Plant, Mooty, Mooty and Bennett, PA were in attendance at the meeting to review with the City Council the report that was prepared by Springsteds on the various tax increment districts within the City of Marshall. Those in attendance at the meeting were advised that the tax increment financing does not have an effect on the school district's tax levy. City staff has agreed to work with legal and financial counsel to address implications, if there are any, as they relate to the school referendum bond issue and the effects that tax increment may or may not have on this issue. The City Council was advised

SPECIAL MEETING - SEPTEMBER 23, 1996

that it becomes a policy decision to address the boundaries of a district and the bonding for the various TIF Districts.

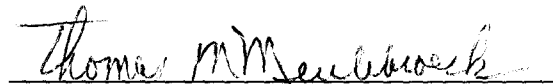
It was the general consensus that City staff and the City Council will need to work together to develop a budget to utilize excess funds that have been generated from the various TIF project areas. Some of the items that were indicated as potential uses of tax increment financing funds were the Industrial Park Development, Utility Expansion to the Airport, Downtown Redevelopment, Safety Improvements at the School District which some are indicated included in the proposed bond issue, Site Work of the Junior High, Historical Sites, Blighted Areas and Fiber Optics (technology).

With no further business brought forth at the meeting, Stores moved, Roggeman seconded, the meeting be adjourned. All voted aye.



Mayor of the City of Marshall, Minnesota

ATTEST:



Finance Director/City Clerk

REGULAR MEETING - OCTOBER 7, 1996

The regular meeting of the Common Council of the City of Marshall was held on October 7, 1996. The meeting was called to order at 7:30 p.m. by President Pro Tem Stores in the Council Chambers of the Marshall Municipal Building. In addition to Stores, the following members were present: Doyle, Edblom, Roggeman and Boedigheimer. Absent: Mayor Byrnes and Councilperson Robley.

The Pledge of Allegiance was recited at this time.

It was the general consensus of the City Council that the agenda be approved as presented.

Roggeman moved, Doyle seconded, that the minutes of the regular meeting held on September 16, 1996 and the minutes of the special meeting held on September 23, 1996 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

Ron Jensen, administrator of Weiner Memorial Medical Center, was in attendance at the meeting to request authorization from the City Council for the replacement of a chiller for the HVAC system on the 1975 building, to repair existing windows in the 1975 building and to repair the existing elevator in the 1975 building.

Upon the recommendation of the Weiner Memorial Medical Center Board, Doyle moved, Boedigheimer seconded, the Weiner Memorial Medical Center be authorized to award the bid to Trane Company in the amount of \$69,657 for the replacement of the chiller for the HVAC system on the 1975 building. All voted in favor of the motion.

Upon the recommendation of the Weiner Memorial Medical Center Board, Boedigheimer moved, Roggeman seconded, the bid for the repairing of 111 windows in the 1975 building at a price of \$47,920 plus an alternative for the reflective bronze tinting on the 62 south and west facing windows at an additional cost of \$5,220 for a total of \$53,140 be awarded to Mon-Ray. All voted in favor of the motion.

Upon the recommendation of the Weiner Memorial Medical Center Hospital Board, Edblom moved, Doyle seconded, the bid for the repair to the existing elevator in the 1975 building be awarded to Minnesota Elevator, Inc. at a cost of \$116,197 for the replacing, modernizing and bringing up to code of both cars. All voted in favor of the motion.

Bids were received, opened and read on October 3, 1996 at 2:00 p.m. in the Council Chambers for the 1996 Reroofing Projects for the Fire Station and Wastewater Treatment Plant in the City of Marshall, Minnesota. The bids received, opened and read were as follows:

REGULAR MEETING - OCTOBER 7, 1996

	<u>Fire Station</u>	<u>Wastewater</u>	<u>Combined Total</u>
Buyse Roofing and Sheetmetal Co. Marshall, MN	\$54,232.00	\$39,105.00	\$93,337.00
Herzog Roofing of SD, Inc. Sioux Falls, SD	\$56,900.00	\$51,200.00	\$107,000.00
Nieman Roofing Company, Inc. New Prague, MN	\$69,600.00	\$47,850.00	\$117,450.00

Roggeman moved, Boedigheimer seconded, the bid for the 1996 Reroofing Projects for the Fire Station and Wastewater Treatment Plant be awarded to Buyse Roofing and Sheetmetal Company, Marshall, Minnesota in the amount of \$93,337 which includes \$54,232 for the Fire Station and \$39,105 for the Wastewater Treatment Plant. All voted in favor of the motion.

Bids were received, opened and read at 2:00 p.m. on September 26, 1996 for the purchase of a 1997 pickup truck for the Street Department and the selling of a 1985 Chevrolet Cavalier from the Engineering Department. The bid specifications allow for bidding under five different options which were as follows:

Proposal A	Furnish 1997 Four-Wheel Drive Pickup Truck AND purchase existing 1985 Chevrolet Cavalier trade-in.
Proposal B	Furnish 1997 Two-Wheel Drive Pickup Truck AND purchase existing 1985 Chevrolet Cavalier trade-in.
Proposal C	Furnish 1997 Four-Wheel Drive Pickup Truck ONLY.
Proposal D	Furnish 1997 Two-Wheel Drive Pickup Truck ONLY.
Proposal E	Purchase existing 1985 Chevrolet Cavalier trade-in ONLY.

The bids that were received, opened and read were as follows:

	<u>Proposal A</u>	<u>Proposal B</u>	<u>Proposal C</u>	<u>Proposal D</u>	<u>Proposal E</u>
Anton Chevrolet; Marshall, MN	\$20,337.79	\$16,772.69	\$20,976.79	\$17,411.69	\$500.00
Marshall Ford; Marshall, MN	\$18,808.96	\$15,835.48	\$19,873.96	\$16,900.48	
Tholen Auto Sales; Marshall, MN	\$19,279.69	\$16,483.00	\$20,344.69	\$17,548.00	

Upon the recommendation of the City Engineer/Director of Public Works, Keith Nelson, Edblom moved, Stores seconded, the bid for a 1997 4-wheel drive pickup with the trade-in of the 1985 Chevrolet Cavalier be awarded to Marshall Ford in the amount of \$18,808.96. There was some concern expressed in regard to the justification for a four-wheel drive at the Street Department and with the potential resale of this vehicle. Voting in favor of the motion were Edblom and Stores. Voting against the motion were Doyle, Roggeman and Boedigheimer, therefore, the motion was defeated.

Roggeman moved, Boedigheimer seconded, the bid for a 1997 two-wheel drive pickup truck and the trade-in of a 1985 Chevrolet Cavalier be awarded to Marshall Ford, Marshall, Minnesota in the amount of \$15,835.48. All voted in favor of the motion.

REGULAR MEETING - OCTOBER 7, 1996

Bids were received, opened and read on September 26, 1996 at 2:00 p.m. for a 29,000 G.V.W. truck for the Street Department with the trade-in of 1978 GMC truck from the Wastewater Department. Bid specifications allowed for bidding under three different options which were as follows:

- Proposal A: Furnish 29,000 G.V.W. Truck AND purchase existing 1978 GMC Truck trade-in.
- Proposal B: Furnish 29,000 G.V.W. Truck ONLY.
- Proposal C: Purchase existing 1978 GMC Truck ONLY.

The bids that were received, opened and read were as follows:

	<u>Proposal A</u>	<u>Proposal B</u>	<u>Proposal C</u>
Anton Chevrolet; Marshall, MN	\$37,656.27	\$40,318.77	\$2,250.00
Olson & Johnson International; Marshall, MN	\$39,990.75	\$43,185.75	\$1,500.00

In the low bid that was received from Anton Chevrolet in Marshall, Minnesota the engine did not meet the specifications. Roggeman moved, Doyle seconded, the bid for a 29,000 G.V.W. truck and the trade-in of a 1978 GMC truck from the Wastewater Treatment Plant be awarded to Olson and Johnson International, Marshall, Minnesota in the amount of \$39,990.75. All voted in favor of the motion.

Dave Frey, Wastewater Treatment Superintendent, reviewed with the City Council the Minnesota Pollution Control Agency 1996 Evaluation and Planning System Report. The areas that were addressed in the evaluation were the treatment system physical condition, system loadings and performance, collection system, biosolids, septage, treatment system operation and maintenance, financial and ordinance status, and future needs. Overall the City of Marshall's Wastewater Treatment Facility received an excellent rating on the different areas addressed in the evaluation.

Roggeman moved, Edblom seconded, the proper City personnel be authorized to negotiate a contract to not exceed \$25,000 for the sanitary sewer repairs in the area of the Minnesota, Birch and Boxelder Streets. Repairs that are to be made to the system are several sectional pipeline repairs which will reduce ground water infiltration and improve the flow of the system. All voted in favor of the motion.

Boedigheimer moved, Roggeman seconded, the proper City personnel be authorized to execute an Earnest Money Contract for the sale of Lots 1 and 2 of Block 1, Minnesota Corn Processors Industrial Park First Addition to MCP and Schwan's Sales Enterprises Inc. This contract allows for the sale of 53.292 acres at a price of \$3,000 per acre. All voted in favor of the motion.

Doyle moved, Edblom seconded, the adoption of RESOLUTION NUMBER 1933, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1933, Second Series, is a resolution declaring the official intent regarding the reimbursement of expenditures with the proceeds of tax-exempt bonds. This resolution provides for the expenditures to be reimbursed as they

REGULAR MEETING - OCTOBER 7, 1996

relate to the sanitary sewer forcemain replacement project from the main lift station to the Wastewater Treatment Plant. The total amount of debt expected to be issued by the project referred to would not exceed \$585,000. All voted in favor of the motion.

Boedigheimer moved, Roggeman seconded, the proper City personnel be authorized to execute the airport lease agreement between the City of Marshall and Schwan's Sales Enterprises Inc. for the parcel of land on which Schwan's has constructed the Red Baron hangar building. This lease is in the amount of \$900 for a five year period of time with the option for this lease to be renewed for 2 additional five year periods. All voted in favor of the motion.

In June of 1996 Scantron-FPC Company was hired to review the City's computer network system, recommendations from their review were that the City's Engineer's Department replace the AudioCAD workstations with high speed Pentium systems and to use the replaced AutoCAD workstation to replace the 286 processor and older systems. The City Engineer's Department currently has five 486 computers and one 586 computer. Due to the amount of information stored in some of the City wide maps the present system is often unable to operate correctly therefore, City Engineer/Director of Public Works Keith Nelson presented to the Council a proposal for the Engineering Department to purchase three computers, two with 17 inch monitors and one with a 21 inch monitor for a total price of \$11,985.51 which includes tax. Doyle moved, Roggeman seconded, the proper personnel within the City Engineer's Office be authorized to proceed with the acquisition of computer equipment consisting of two 17 inch monitors and one 21 inch monitor for a total price including sales tax of \$11,985.51 and that \$14,500 be transferred from the Engineering Parttime Account 101-601-602-1103 to 101-601-602-5540 \$12,000 and \$2,500 to Account # 101-601-602-3301 for general professional services. All voted in favor of the motion.

Upon the recommendation of the Computer Planning Committee, Boedigheimer moved, Edblom seconded, the transfer of \$8,400 from the Municipal Building Account 101-412-450-5530 to the Data Processing Account 101-416000-5560 and the transfer of \$2,000 from the Data Processing Account 101-416-000-2221 to Account Number 101-416-000-5560 to allow for the purchase of five pentium processors, two modems and additional megs of memory for a total of \$10,400. The purchase of this equipment will allow for all departments within the Municipal Building except the Police Department to be upgraded to at least a 486-8 mega byte operating capability which will allow for the system to operate more effectively and efficiently. All voted in favor of the motion.

Edblom moved, Roggeman seconded, a public hearing be scheduled for 7:30 p.m. on October 21, 1996 in the Council Chambers of the Marshall Municipal Building to hear public comments in regard to the submission of an application to the Minnesota Department of Trade and Economic Development for a Economic Recovery Grant/Loan Program. This grant/loan application would be in the amount of \$375,000 for the proposed expansion of the Schott Corporation in Marshall, Minnesota. All voted in favor of the motion.

REGULAR MEETING - OCTOBER 7, 1996

Roggeman moved, Doyle seconded, the proper City personnel be authorized to execute a joint powers agreement between the City of Marshall and County of Lyon for the processing of parking tickets. This agreement provides for the City of Marshall Police Department to accept the payment of parking tickets within the first 10 days after the ticket is written. If the ticket is not paid within the ten days after it is written it will then be delivered to the Court Administrator to be handled and processed accordingly. This agreement is for trial period of 6 months beginning November 1, 1996. All voted in favor of the motion.

Boedigheimer moved, Edblom seconded, that a public hearing be scheduled for 7:30 p.m. on October 21, 1996 in the Council Chambers of the Marshall Municipal Building to consider the transfer of an on-sale intoxicating liquor license from DeVos Wixon Inc. DBA Corner Bar and Lounge to Richard VanDyke DBA Corner Bar. All voted in favor of the motion.

Roggeman moved, Boedigheimer seconded, BE IT RESOLVED, that the proper City personnel be authorized to advise the State of Minnesota Charitable Gambling Control Board that they have approved the application for authorization for an exemption from lawful gambling license and that the 30 day waiting period be waived for Western Community Action for use at their office at 205 West Main Street on November 7, 1996. This authorization was granted with the understanding that the Department of Public Safety review and approve the request. All voted in favor of the motion.

Reports by the Mayor and Councilmembers of the various committees, commissions and boards were presented at this time:

Roggeman	<u>Community Services Advisory Board</u> - did receive a year-end aquatic center report which indicated that the revenues were 102 percent above budgeted amount.
Stores	<u>Marshall Celebrates</u> - continues to meet and is moving forward toward the 125th anniversary celebration in July of 1997.
Edblom	<u>Convention and Visitors Bureau</u> - is reviewing the 1997 budget request. There needs to be a Public Improvement and Legislative and Ordinance meetings set up. <u>Utility Commission</u> - meeting was held on September 17, 1996. The Heartland Consumer Power District provided a presentation on their budget at the meeting. The Utilities will be holding a strategic planning session this fall. The representatives from the Utilities and the City Engineer's Office are working on the storm water utility billing system. The Utilities has agreed to a donation to the Marshall Celebrates Committee of \$1,500. The engineering contract for the water treatment plant was discussed and it was determined that there needs to be more research done on this contract. The engineering contract was approved at a later date.

REGULAR MEETING - OCTOBER 7, 1996

It is the intent to go out for bids for the water treatment plant construction in May or June of 1997.

Boedigheimer

Joint Law Enforcement Center Committee - needs to regroup and have a meeting to discuss the status of this venture.

Doyle

Insurance Advisory Committee - will be meeting on October 17, 1996 at 7:30 a.m. and the minutes for the Library Board and the EDA are included in the Council agenda packets.

Other items of concern brought forth by the Mayor and Councilmembers included: A request of a report to be submitted to the City Council at the November 4, 1996 meeting to justify the cellular phones the City has which is costing between \$400 and \$500 per month, the cellular phones were purchased in 1993; Doctor Tapper and Bruce Lamprecht were at the Community Services meeting and did provide a presentation on the upcoming bond issue which will be voted on December 17, 1996; City staff and utilities personnel were commended for their efforts in the open house that was held on October 5, 1996 at the Marshall Municipal Utilities and an expression of appreciation was extended for the tours that were provided to the fourth graders who toured City Hall; concerns were expressed in regard to the Fourth Street Housing Project - MSP - where the berm will be placed and the status of the pond to be constructed in this area; Fire Prevention Week is October 6 thru October 12, 1996 and an appreciation was extended to the Fire Department for the tours that have been provided to the kindergarten classes and those in attendance at the meeting were advised that there will be an open house at the Fire Hall on October 10, 1996 from 5:30 p.m. to 8:00 p.m.; the conditional use permit granted to the Village Park was questioned as to whether or not it was revokable, it was indicated that all conditional use permits are revokable upon due notice of default and a hearing to consider the concerns, a request was made that a copy of the conditional use permit be distributed to the City Council along with the last letter that was sent to the owner addressing the improvements that needed to be done under the Conditional Use Permit, it was also suggested that a follow up letter be sent to the owner addressing his compliance with the conditional use permit, Public Works Director/City Engineer Keith Nelson indicated that he would review the conditional use permit and the correspondence and report back to the City Council on the conditional use permit for Village Park as well as Camelot Square; favorable comments were received in regard to the removal of the stop sign at the intersection of Elaine and South 2nd Street.

In regard to the pending agenda items: it was requested that the NSF check policy be on the Council agenda for the October 21, 1996 meeting for review and that the business places be advised of this being on the agenda for this meeting; the "Welcome to Marshall" signs were again addressed and it was indicated that a sign has been placed along Highway 19 West near the airport and the City is continuing to work on the necessary easements and proper location for other signs.

Edblom moved, Doyle seconded, and it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE VOUCHER # 67860 through 68091.

REGULAR MEETING - OCTOBER 7, 1996

The following building permits previously approved by the building official were confirmed:

John Blomme
1002 Emerald Court
Remodel Dwelling
\$1,400

Nieman Roofing Co., Inc.
300 South Bruce Street
Reroof
\$103,000

Bladholm Construction
300 South Bruce Street
Hospital Remodeling--Phase I
\$1,600,000

Harvest States Co-op Elevator
701 North 7th Street
Demolish Warehouse
\$0

Schwan's Sales Enterprises, Inc.
315 South 2nd Street
Office Remodeling -- Phase II
\$365,000

Dennis Lozinski
600 DeSchepper Street
Reroof Dwelling
\$2,500

George Seldat
116 South High Street
Garage/Deck/Interior Remodeling
\$10,500

Jerry Fifield
204 South Hill Street
Install Windows
\$1,000

Bill and Judy Verschaetse
118 Park Avenue
Dwelling Addition
\$18,000

Sussner Construction
405 Country Club Drive
Retail Store Addition
\$360,000

Don Maeyaert
301 "G" Street
Replace Garage Floor
\$700

Mark Weber
1004 Cheryl Avenue
Replace Deck
\$1,000

Lee D. and Sharon L. DeBlieck
1007 Silvervine Drive
Install Windows
\$1,800

Matthew V. Scherr
108 South 10th Street
Reroof Dwelling
\$1,800

Mark Altman
115 Park Avenue
Deck -- Additional Work
\$2,000

Paul and Lois Johnson
800 Lawrence Court
Dwelling
\$181,000

Marshall Public Housing Commission
202 North 1st Street
Office Remodel
\$19,200

Mark and Susan Jorgenson
110 Gray Place West
Kitchen Remodel
\$1,000

Schlenner Construction
405 Woodland Way
Dwelling
\$210,000

Chad and Sandy Wyffels
1309 East College Drive
Retail Store
\$453,000

REGULAR MEETING - OCTOBER 7, 1996

Gary Rudolf
310 Carrow Street
Install Windows
\$2,000

Marshall Plan Incorporated
100 Lilac Drive
Reroof Office
\$2,500

New Thresholds of Faith Church, Inc.
1400 South Saratoga Street
Church
\$450,000

Sandra Nath
804 Elaine Avenue
Install Windows
\$800

Cyril and Donna Schroeder
602 West Lyon Street
Deck
\$1,500

True Value Home Center
103 Elaine Avenue
Dwelling
\$95,000

Ray Henriksen
202 East Saratoga Street
Entry Remodel
\$700

Babcock Construction
502 DeSchepper Street
Reside Dwelling
\$4,000

True Value Home Center
505 Elaine Avenue
Garage Addition
\$11,000

Cal Barnett, City Assessor, briefly reviewed with those in attendance at the meeting the "Call It Home" Conference on the new immigrants of southwest Minnesota to be held at Southwest State University on October 17-19, 1996.

Upon motion made by Roggeman, seconded by Edblom the meeting was adjourned. All voted aye.



President Pro Tem

ATTEST:



Finance Director/City Clerk

SPECIAL MEETING - OCTOBER 21, 1996

A special meeting of the Common Council of the City of Marshall was held on October 21, 1996. The meeting was called to order at 6:02 p.m. by Mayor Byrnes in the Council Chambers of the Marshall Municipal Building. In addition to Byrnes, the following members were present: Robley, Doyle, Edblom, Roggeman, Boedigheimer and Stores. Absent: None. Staff members in attendance were: Johnson, Barnett, Nelson and Meulebroeck.

Other representatives at the meeting were Mark Jorgensen, County Administrator, Brian Hoffman, Pat Leary, Dan Archbold and Stan Finnestad.

Mayor Byrnes and City Administrator Johnson provided introductory comments to the meeting. This meeting was to identify the projects and/or funding scenarios for tax increment project areas.

Brian Hoffman and Pat Leary provided an overview to those in attendance at the meeting on proposed projects that involve industrial economic development. Mayor Byrnes provided an overview of proposed projects for the downtown redevelopment. Those in attendance at the meeting did spend time reviewing each proposed project as presented and the dollar amounts associated with these projects. Time was spent trying to prioritize the various projects that were presented.

It was the general consensus that the maximum amount of a tax increment bond issue be established at approximately seven million dollars for the various projects that were considered.

Mayor Byrnes adjourned the meeting at 7:20 p.m.



Mayor of the City of Marshall, Minnesota

ATTEST:



Finance Director/City Clerk

REGULAR MEETING - OCTOBER 21, 1996

The regular meeting of the Common Council of the City of Marshall was held on October 21, 1996. The meeting was called to order at 7:30 p.m. by Mayor Byrnes in the Council Chambers of the Marshall Municipal Building. In addition to Byrnes, the following members were present: Robley, Doyle, Edblom, Roggeman, Boedigheimer and Stores. Absent: None.

The Pledge of Allegiance was recited at this time.

It was the general consensus of the City Council that the agenda be approved as presented.

Stores moved, Robley seconded, that the minutes of the regular meeting held on October 17, 1996 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

Ron Jensen, Administrator, Weiner Memorial Medical Center, was in attendance at the meeting to review with the Council the bids that were received for the modular furnishings for Phase I of the comprehensive remodeling project for the Weiner Memorial Medical Center. Upon the recommendation of the Weiner Memorial Medical Center Hospital Board, Stores moved, Edblom seconded, the bid for the modular furnishings for Phase I of the comprehensive remodeling project at the Weiner Memorial Medical Center be awarded to Facility Systems, Inc., in the amount of \$66,437.67. All voted in favor of the motion.

This was the date and time set for a public hearing in regard to the City of Marshall's intent to make application to the State of Minnesota Department of Trade and Economic Development for the purpose of sponsoring Schott Corporation in their pursuit of financial assistance for a plant expansion in the City of Marshall. Schott Corporation is applying for \$375,000 which will be used towards the purchase of equipment. Cal Barnett, City Assessor, who has been working with Schott Corporation, along with Andy Schmidt from Schott's reviewed Schott Corporation's project. Schott's plans are to construct a 12,000 square foot addition with potentially adding 75 new employees who would be paid \$8.00 per hour as a starting wage. With no questions or concerns brought before the public hearing, Doyle moved, Roggeman seconded; the public hearing be closed. All voted in favor of the motion.

Robley moved, Edblom seconded, the adoption of RESOLUTION NUMBER 1934, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1934, Second Series, is a resolution indicating the City of Marshall's support for the application being submitted to the Department of Trade and Economic Development for funding of the Schott Corporation Project. All voted in favor of the motion.

This was the date and time set for a public hearing to consider the transfer of an On-Sale Intoxicating Liquor License from DeVos Wixon Inc. DBA Corner Bar and Lounge to Richard VanDyke DBA Corner Bar. Mr. VanDyke was in attendance at the meeting and did indicate that he does plan to make improvements to the facility, expand its kitchen and provide for a larger dancing area within the facility and that the current entertainment would cease after the first of the year 1997.

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A question was raised in regard to the possibility of placing conditions on the liquor license. It was indicated that the Council has the right to approve or deny a liquor license and not to put conditions upon those licenses. With no further concerns brought before the public hearing, Doyle moved, Stores seconded, that the public hearing be closed. All voted in favor of the motion.

Boedigheimer moved, Roggeman seconded, the On-Sale Intoxicating Liquor License issued to DeVos Wixon, Inc. DBA Corner Bar and Lounge be transferred to Richard VanDyke DBA Corner Bar contingent upon the City of Marshall receiving the adequate certificate of insurance coverage. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Roggeman moved, Doyle seconded, Marshall Plan, Inc. be allowed to construct a 32 square foot identification sign in lieu of a 6 square foot sign as allowed by City code in a R-5 Manufactured Home Park District at 100 Lilac Drive, the Village Park Mobile Home Park, since the 6 square foot requirement was considered an unreasonable restriction in a rural setting. Ken Fisher from the mobile home park was in attendance at the meeting and did indicate that within the past couple months ownership of the trailer park has changed and it is the intent of the new owners to make some changes within the park. All voted in favor of the motion except Edblom who voted no.

Upon the recommendation of the Planning Commission, Robley moved, Roggeman seconded, a Conditional Use Permit be granted to Douglas J. Mosch to classify an existing non-conforming automobile repair shop as a conforming use existing at the time of establishment of the district at 100 West Main Street. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Roggeman moved, Robley seconded, a Conditional Use Permit be granted to Douglas J. Mosch to construct an automobile storage garage in a B-2 Central Business District at 100 West Main Street providing that the building meets all conditions of the City ordinances. All voted in favor of the motion.

A discussion was held at this time in regard to a request from Chad and Sandy Wyffels for a Variance Adjustment Permit for less parking spaces than required by ordinance in a B-3 General Business District at 1309 East College Drive. The Wyffels are requesting 75 parking spaces in lieu of 157 as required by City Ordinance. There has been no hardship shown for this request, therefore there is no reason to grant the request. Keith Nelson, City Engineer/Public Works Director, indicated that the City's requirement is in excess of other communities compared. Boedigheimer moved, Edblom seconded, the Variance Adjustment Permit requested by Chad and Sandy Wyffels for less parking spaces than required by ordinance in a B-3 General Business District at 1309 East College Drive be tabled to the special City Council meeting to be held on October 28, 1996 to allow for the Legislative and Ordinance Committee of the City Council to review the City ordinances at their October 23, 1996 meeting as it relates to the City's requirement for parking spaces in a general business district. All voted in favor of the motion.

REGULAR MEETING - OCTOBER 21, 1996

Dick Korver from Vesco and Dave Frey, Wastewater Superintendent, were in attendance at the meeting to discuss with the City Council an agreement which would allow for the Wastewater Treatment Plant to be a demonstration site for a system presented by Scientific Utilization Inc. which would aid in the digester system to reduce volatile solids. The agreement provides for a six month demonstration period in which the City would be responsible for the mechanical installation, freight charges to the Marshall site, and replacement anodes during the demonstration term. At the end of the six months the City would have the option but would not be required to purchase the equipment in the amount of \$156,680. If the City were to choose to continue the demonstration period for additional three months the rental fee would be \$5,000 per month. Boedigheimer moved, Roggeman seconded, the proper City personnel be authorized to execute the agreement between the City of Marshall and Scientific Utilization, Inc. for Scientific Utilization Inc. to install the equipment at the Wastewater Treatment Plant as demonstration site for the system which would aid in the digester system to reduce volatile solids. This agreement provides for the plant to be a demonstration site for six months and at the end of the six months the City would have the option but would not be required to purchase the equipment for \$156,680. This agreement was approved with the change of the wording to allow for the City that they may extend the contract for an additional three months at a rate of \$5,000 per month. All voted in favor of the motion.

Robley moved, Doyle seconded, the adoption of RESOLUTION NUMBER 1935, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1935, Second Series, is a resolution amending the assessment rolls for Project 1994-006, Job 115 and Project 1994, Job 120 and Job 124. A nine foot portion of parcel number 27-824004-0 has been sold and assigned a new parcel number of 27-824004-1. This resolution provides for the assessments to remain under the original parcel number of 27-824004-0 and that none of the assessments be transferred to parcel number 27-824004-1. All voted in favor of the motion.

The City of Marshall Community Services Department has received a Law Con grant for improvements to Independence Park, therefore, Stores moved, Roggeman seconded, the proper City personnel be authorized to advertise for bids to be received on November 12, 1996 at 2:00 p.m. for the construction of a picnic shelter at the Independence Park. All voted in favor of the motion.

A brief discussion was held at this time in regard to the NSF Check Policy that had been approved by the City Council. City Attorney Brian Murphy indicated that the number of transactions that have been processed through his office has been greatly decreased. It was determined that the businesses affected by the policy had not been notified therefore Robley moved, Stores seconded, that the review of the policy be tabled to the next regular City Council meeting to be held on November 4, 1996 and that the Chamber of Commerce be requested to send a meeting notice to those businesses that are affected by the policy. All voted in favor of the motion.

Upon the recommendation of the Legislative and Ordinance Committee, Edblom moved, Doyle seconded, the introduction of an ordinance amending Section 2.42 of City Code of the City of Marshall regulating partial prepayment of special assessments and the splitting of special assessments within the City of Marshall, Minnesota. Along with the introduction of this ordinance,

REGULAR MEETING - OCTOBER 21, 1996

the Legislative and Ordinance Committee also recommended that a fee be established for the handling and splitting of these special assessments. All voted in favor of the motion.

Robley moved, Doyle seconded, a special City Council meeting be set for 6:00 p.m. on October 28, 1996 to consider the modification to the tax increment financing district and that there be consideration of a bond issue to not exceed 7.2 million dollars of which \$200,000 of this issue would be for legal fees incurred with this bond issue. All voted in favor of the motion.

Reports by the Mayor and Councilmembers of the various committees, commissions and boards were presented at this time:

Byrnes Southwest Regional Development Commission - is going through a reorganization at this time with the Prairieland Economic Development Corporation splitting away from the Southwest Regional Development Commission but there operation would be within the same facility as the Southwest Regional Development Commission.

Roggeman Housing Commission - have received 23 applicants for the maintenance position. Planning Commission - the City Council did address the items that were considered at their meeting with a further discussion to be held in regard to the parking restriction for businesses. Community Services Board - reviewed the proposed budgets and did make some reductions in their budget for 1997. Personnel Committee - needs to establish a meeting date for the review of the proposed pay plan. Quarterly Personnel Committee - the meeting is scheduled for October 22, 1996.

Stores Hospital Board - did set up a tour to review the renovations that are taking place at their facility. They have hired a consultant to work and review their computers for the year 2000. A new surgeon has joined the clinical staff. The clinic has hired an on-site manager. The hospital has started an adult daycare for five adults and will potentially increase to fifteen after the renovation is completed. The hospital has made its final payment on the bonds for the Affiliated Med Center. Lyon County Ice Facility - has set up an area for a second sheet of ice to be used as a practice area. They are intending to use \$3,000 of their funds towards a transformer.

Edblom Utilities - have agreed to make a donation to the Prairie Net Consortium for an internet. Cable Commission - continues to work on its franchise agreement. Public Improvement/Transportation - will be holding a meeting on Thursday, October 24, 1996 at 5:15 p.m.

REGULAR MEETING - OCTOBER 21, 1996

Boedigheimer

Human Rights Commission - did address their policies and procedures and they are trying to meet with the school and are considering the college to meet with them to work with minorities and to let them know more about the commission. Airport Commission - has changed their meeting time to 4:30 p.m. on the same day of the month that they currently meet. The committee did discuss the possibility of providing a courtesy car at the airport. The committee also discussed the delays in improvements that are being done at the airport and also reviewed the hangar and other rentals at the airport. Joint Law Enforcement Facility - a meeting will be held at 7:00 a.m. on October 31, 1996 at the County Commissioners Room.

Doyle

Library Board - Doctor Tapper, Superintendent Marshall Public Schools, provided a presentation to the board in regard to the referendum to be voted on in December 1996. The staff at the library is continuing to review its budget and to consider areas of reducing the budget.

Other items of concern brought forth by the Mayor and Councilmembers included: Comments in regard to the conference held at SSU "To Call It Home" which was centered around immigrants and it was determined that the biggest need coming from this conference was the need for ESL Classes for adults; A request was made for the Ways and Means Committee to meet to consider and review the fees established by the City for 1997 and that the Legislative and Ordinance Committee needs to consider the City of Marshall's adult entertainment ordinance.

Roggeman moved, Edblom seconded, it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE VOUCHER #68092 through 68249.

The following building permits previously approved by the Building Official were confirmed:

Dale A. & Mary K. Erickson
1314 Parkside Drive
Install Window
\$1,000

Bill Ziegenhagen
705 West Main Street
Replace Doors and Reside Warehouse
\$5,900

Geske Building & Supply Co.
803 Colt Street
Patio Door Installation and Deck
\$1,000

Geske Building & Supply
100 "E" Street
Reside Dwelling and Install Window
\$7,400

True Value Home Center
1009 Columbine Drive
Interior Remodeling
\$15,300

Sussner Construction
800 Country Club Drive
Maintenance Building Addition
\$57,400

REGULAR MEETING - OCTOBER 21, 1996

Haugen Construction
408 Kathryn Avenue
Install Windows and Reside Dwelling
\$4,600

Gregory B. Cattoor
1309 East College Drive
Demolish Service Station
\$0

Dan Gibson
202 East Lyon Street
Replace Steps
\$500

F.O.E. Aerie 3405
423 West Main Street
Interior Remodel
\$12,700

Greig & Gregerson
313 East Main Street
Sign Installation
\$700

Hisken Construction
801 Brian Street
Reroof Dwelling
\$3,000

Sussner Construction
113 South 6th Street
Manufacturing Plant Addition-Phase I
\$100,000

Independent Lumber
402 Woodland Way
Dwelling
\$125,000

Bakke's Home Repair & Construction
207 South Whitney Street
Install Door
\$500

Don Jants
407 South 4th Street
Interior Remodel and Window Installation
\$1,900

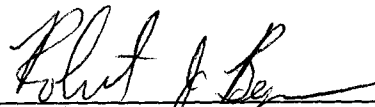
Jordy Beek
901 Pine Avenue
Reroof Dwelling
\$4,000

Keith Nelson, City Engineer/Public Works Director, addressed the MSP Project with the Council and did indicate that they intend to have occupants by November 1, 1996, to finish the parking area by next week, and to be completely done with the project by year end 1996 and that the berm would also be completed by December 31, 1996.

City Attorney Brian Murphy indicated to the Council that the North Ambulance would be holding a hearing before a law judge on October 23, 1996 to consider the upgrading from BLS to an ALS System.

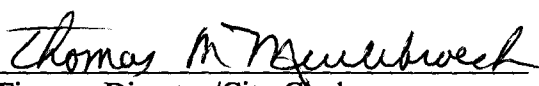
REGULAR MEETING - OCTOBER 21, 1996

Upon motion made by Roggeman, seconded by Edblom, the meeting was adjourned. All voted aye.



Mayor of the City of Marshall, Minnesota

ATTEST:



Finance Director/City Clerk

SPECIAL MEETING - OCTOBER 28, 1996

A special meeting of the Common Council of the City of Marshall was held on October 28, 1996. The meeting was called to order at 6:04 p.m. by Mayor Byrnes in the Council chambers of the Marshall Municipal Building. In addition to Byrnes, the following members were present: Doyle, Edblom, Roggeman, Boedigheimer and Stores. Absent: Robley.

It was the general consensus of the City Council that the agenda be approved with the addition of Item #6A which was the establishment of date and time for a special City Council meeting to canvas the election results from the November 5, 1996 election.

Roggeman moved, Stores seconded, the adoption of RESOLUTION NUMBER 1936, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1936, Second Series, is a resolution calling for a hearing on the proposed modification by the Housing and Redevelopment Authority in and for the City of Marshall of the modified Redevelopment Plan for Redevelopment Project No. 1 and the modification of the Tax Increment Financing Plans for Tax Increment Financing District Nos. 1-1 through 1-10 and the modified Redevelopment Plan for Schwan's Redevelopment Project No. 2 and the modification of the Tax Increment Financing Plans for Tax Increment Financing District Nos. 1 and 2. A public hearing was scheduled for 7:30 p.m. on December 2, 1996. All voted in favor of the motion.

Gerard Shannon from Springsted's Incorporated, public finance advisors for the City of Marshall, was in attendance at the meeting to review the terms and conditions of the various proposed bond issues consisting of storm sewer improvement project (\$520,000), sanitary sewer improvement project (\$580,000), refunding bonds for the 1987 swimming pool/senior citizen center project (\$385,000) and tax increment financing projects (\$7,200,000).

Following Mr. Shannon's review of the various bond issues, Edblom moved, Stores seconded, the adoption of RESOLUTION NUMBER 1937, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1937, Second Series is a resolution relating to the issuance of various general obligation bonds. All voted in favor of the motion.

A proposed resolution calling for a public hearing on the construction improvements within the Storm Sewer Improvement District No. 1 was reviewed. A public hearing is planned for Monday, December 2, 1996 at 7:30 p.m. In addition to the public hearing notice, individual notices will be mailed to all property owners concerning the anticipated impact of the proposed financing on the first phase of the project. The City's share of the first phase of the financing project amounts to \$520,000 which will require an annual levy beginning in 1997 that is estimated not to exceed \$60,000. Gerry Shannon from Springsted's Inc. provided a summary of the impact to the property owners for the City's share of the initial project.

Doyle moved, Roggeman seconded, the adoption of RESOLUTION NUMBER 1938, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1938, Second Series, is a resolution calling for a public hearing on the construction of improvements within Storm Sewer Improvement District No. 1. The public hearing has been scheduled for December 2, 1996

SPECIAL MEETING - OCTOBER 28, 1996

at 7:30 p.m. in the Council Chambers of the Marshall Municipal Building. All voted in favor of the motion.

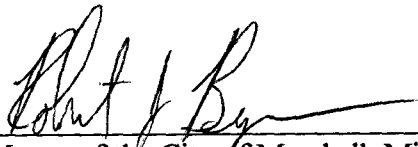
Roggeman moved, Stores seconded, the adoption of RESOLUTION NUMBER 1939, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1939, Second Series, is a resolution indicating the City of Marshall's declaration of official intent regarding the reimbursement of expenditures with the proceeds of tax-exempt bonds. This resolution addresses the issuing of bonds for a snow blower for the Street Department and computer hardware and/or software for the Finance Department. All voted in favor of the motion.

Upon the recommendation of the Legislative and Ordinance Committee, Edblom moved, Boedigheimer seconded, the introduction of an ordinance amending Section 11.19, Subd. 2, Item L, No. 24 of the City Code of the City of Marshall, Minnesota regulating the number of off-street parking spaces for retail stores and service establishments in Marshall, Minnesota. This ordinance provides for one (1) off-street parking space for each 200 square feet of gross floor area. All voted in favor of the motion.

Contingent upon the District # 413 School Board approval, Roggeman moved, Boedigheimer seconded, David Sturrock be appointed to the Community Services Advisory Board for a term to expire February 28, 1997 to fill the position vacated by the resignation of Kelly O'Shea Carney. Mr. Sturrock would be eligible for two additional appointments after the completion of this term. All voted in favor of the motion.

Roggeman moved, Doyle seconded, a special City Council meeting be set for 5:00 p.m. on November 6, 1996 to canvas the election results from the November 5, 1996 election. All voted in favor of the motion.

Upon motion made by Roggeman, seconded by Edblom, the meeting was adjourned. All voted aye.



Mayor of the City of Marshall, Minnesota

ATTEST:



Finance Director/City Clerk

REGULAR MEETING - NOVEMBER 4, 1996

The regular meeting of the Common Council of the City of Marshall was held on November 4, 1996. The meeting was called to order at 7:30 p.m. by Mayor Byrnes in the Council Chambers of the Marshall Municipal Building. In addition to Byrnes, the following members were present: Robley, Doyle, Edblom, Roggeman, Boedigheimer and Stores. Absent: None.

The Pledge of Allegiance was recited at this time.

It was the general consensus of the City Council that the agenda be approved as presented.

Robley moved, Doyle seconded, that the minutes from the special meeting held on October 21, 1996, the minutes of the regular meeting held on October 21, 1996, and the minutes of the special meeting held on October 28, 1996 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

Upon the recommendation of the Legislative and Ordinance Committee, Doyle moved, Edblom seconded, the adoption of ORDINANCE NUMBER 364, SECOND SERIES, and that the reading of the same be waived. Ordinance Number 364, Second Series is an ordinance amending Section 2.42 of the City Code of the City of Marshall regulating partial prepayment of special assessments and splitting of special assessments in the City of Marshall, Minnesota. All voted in favor of the motion.

Roggeman moved, Robley seconded, the adoption of RESOLUTION NUMBER 1940, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1940, Second Series, is a resolution designating a fee to be paid to the City of Marshall for the splitting of special assessments. The fee was set at \$250. All voted in favor of the motion.

Upon the recommendation of the Legislative and Ordinance Committee, Edblom moved, Roggeman seconded, the adoption of ORDINANCE NUMBER 365, SECOND SERIES, and that the reading of the same be waived. Ordinance Number 365, Second Series, is an ordinance amending Section 11.19, Subd. 2, Item L, No. 24 of the City Code of the City of Marshall, Minnesota regulating the number of off-street parking spaces for retail stores and service establishments in Marshall, Minnesota. All voted in favor of the motion.

Upon the recommendation of the Legislative and Ordinance Committee, Robley moved, Stores seconded, the introduction of an ordinance regulating nude dancing in licensed liquor establishments in Marshall, Minnesota. All voted in favor of the motion except Boedigheimer who voted no.

At the January 16, 1996 City Council meeting a motion was approved that the City of Marshall's policy for the prosecution of returned checks remain as is and that the City Attorney prosecute misdemeanor bad checks over \$25 once these checks have been processed with the collection agency for 70 days. City Administrator Mike Johnson, City Attorney Brian Murphy, and Director of Public Safety Marvin Bahn provided comments on the policy to the City Council and others in attendance at the meeting. Bob Almich from the County Market provided statistical information to the City Council on the effect the current policy is having on his operation and the amount of write-offs that they will have. Doug Spanton from True Value stated that it was feasible to process the return checks through the collection process but felt the length of time before they are turned over to the City Attorney was excessive since the City Attorney will not take a check that is

REGULAR MEETING - NOVEMBER 4, 1996

Councilmember Robley with a plaque for serving on the City Council from 1994 to 1996 and expressed his appreciation for the time and efforts that Robley has given to the City of Marshall.

Edblom moved, Doyle seconded, and it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE VOUCHER 68250 through 68391.

The following building permits previously approved by the building official were confirmed:

Marc and Melissa Klaith
314 East Main Street
Remodel Roof
\$3,000

Steve Tutt Construction
116 Circle Drive
Sunroom Addition
\$22,000

Emmett Bakke
111 South "A" Street
Interior Remodeling
\$500

Buyse Roofing & Sheetmetal Co.
600 West Erie Road
Reroof Various WWTP Buildings
\$39,100

Tholen House Account
614 Soucy Drive
Reside and Reroof Dwelling
\$9,000

Buyse Roofing & Sheetmetal Co.
201 East Saratoga Street
Reroof Fire Station
\$54,200

J.F. Taylor & Sons, Inc.
104 South 1st Street
Garage Remodeling
\$3,000

Hiller Development Company
1112/1114 Travis Road
Two-Family Dwelling
\$120,000

J. F. Taylor & Sons, Inc.
105 South 1st Street
2-Unit Apartment Remodeling
\$18,000

Powers Construction
804 North Bruce Street
Install Door
\$1,000

Babcock Construction
102 "E" Street
Reside Dwelling and Replace Windows
\$5,100

Powers Construction
809 North 5th Street
Remodel Bathroom
\$1,200

True Value Home Center
105 Whitney Circle
Dwelling
\$135,000

Jeff Pfaffe
507 Lawrence Street
Remodel Bedroom
\$2,500

Doug Kunde
506 Elaine Avenue
Egress Windows
\$900

First American Bank
202 Ash Drive
Safety Disclosure Repair
\$1,000

REGULAR MEETING - NOVEMBER 4, 1996

Sussner Construction
1400 Peterson Street
Apartment Unit Repair
\$15,500

Budget meetings were scheduled for November 12 and November 14 at 7:00 p.m. on each of these dates.

Upon motion made by Edblom, seconded by Stores, the meeting was adjourned. All voted aye.



Mayor of the City of Marshall, Minnesota

ATTEST:



Finance Director/City Clerk

REGULAR MEETING - NOVEMBER 4, 1996

over 90 days old. Dan Hoeck from Tradehome Shoes at the Marshall Mall indicated that the number of checks that are uncollectible for his store has doubled from last year to this year and he did state that he concurs with Mr. Spanton in that the length of time checks are with the collection agency before they are being prosecuted is excessive. Jan Vandenbroek, Loss Prevention Manager from Shopko, stated that time is of the essence and that 70 days for a check not being processed for prosecution is too long. A couple of suggestions that were made were that the number of days for a returned check to be prosecuted be modified or that there be a bench mark established in allowing for checks over a certain amount to be processed sooner. Doyle moved, Robley seconded, the policy for return checks be referred to the Legislative and Ordinance Committee to review with City staff to address the time limit and the dollar amount of the NSF checks and that the policy be reviewed as far as the prosecution for these checks. All voted in favor of the motion.

Russ Labat, president of the Marshall Volunteer Firefighters Relief Association, was in attendance at the meeting to review with the Council the amendments to the Relief Association By-Laws and also was requesting an increase in the annual lump sum pension benefit from the \$2,900 to \$3,100 for each year of service as an active member of the Fire Department. Mr. Labat presented two different scenarios to the City Council, if the by-laws were approved to provide a benefit change from \$2,900 to \$3,100 for each year of service and the effects that this would have on the contributions from the City to the Fire Relief Association. Following a review of the information that was presented, Robley moved, Stores seconded, the request for the amendment to the Marshall Volunteer Firefighters Relief Association By-Laws be referred to the Ways and Means Committee with the understanding that Mayor Byrnes would attend this committee meeting in lieu of Councilperson Boedigheimer. All voted in favor of the motion except Boedigheimer who abstained.

City Administrator Mike Johnson provided a short overview to the City Council in regard to the status on the joint City/County Law Enforcement Center Project. A packet of information was included with the City Council agenda packets. It was the general consensus of the City Council that a joint City Council and Lyon County Board of Commissioners meeting be held at 6:00 p.m. on Monday, November 18, 1996 to consider the materials in regard to a joint law enforcement project and that a decision be made in regard to the possibility of forwarding on with this project.

The City of Marshall 429 Revolving Fund has had monies set aside in a reserve for ADA improvements at the Marshall-Lyon County Library. Projects considered for improvements at the library include an upgrade of the restroom, elevator improvements and a water fountain replacement. Ed Wacha, building maintenance supervisor, was in attendance at the meeting to discuss with the Council the status of the elevator at the Marshall-Lyon County Library. Funding for these proposed improvements at the Marshall-Lyon County Library would involve the Department of Children, Family and Learning, Library Development Office and since there is not enough funds set aside by the City, a decision needs to be made as to whether or not to proceed with this project. Robley moved, Doyle seconded, \$12,000 be appropriated from the 429 Revolving Fund in 1997 to assist the Marshall-Lyon County Library with the ADA improvements for the elevator. All voted in favor of the motion.

Roggeman moved, Edblom seconded, the approval of a plumbers license for Kyle Ryer DBA Ryer Plumbing and Heating Incorporated from Granite Falls, Minnesota and also the approval of a plumbers license for Dwayne Klarenbeek DBA Midwestern Mechanical from Inwood, Iowa. The fee for these licenses is \$35 and that the license will expire on March 31, 1997. All voted in favor of the motion.

REGULAR MEETING - NOVEMBER 4, 1996

Reports by the Mayor and Councilmembers of the various committees, commissions and boards were presented at this time:

- Byrnes EDA - did hold a special meeting on October 28, 1996 to address the proposed TIF Bond Issue and the proposed boundaries of the properties included in this TIF Bond Issue.
- Roggeman Housing Committee, Planning Commission and Community Services Board do have upcoming meetings. The Personnel Committee met to review the pay plan.
- Stores Ways and Means Committee - needs to set a meeting date and time. Hospital Board - will set up a mini tour for the Councilmembers preferably before 5:00 p.m. on a Wednesday.
- Edblom Public Improvement Committee - did meet and discuss the concern of installing a stop sign near the intersection of Deschepper and James. The situation has improved in the area by the Police Department monitored it and it was the general consensus with the representatives from the area to not place any stop signs at this time. Airport Commission - met on October 14, 1996. A copy of the minutes were included with the agenda packet and it was the consensus of the commission that there be an increase in the hangar rentals effective January 1, 1997.
- Robley Lyon County Enterprise Development - will be holding a meeting on November 12 to discuss long range plans.
- Doyle Insurance Advisory Commission - October minutes are included in the agenda packet.

Other items of concern brought forth by the Mayor and Councilmembers included: an expression of appreciation to the mall for the activities that they held on Halloween October 31, 1996; recognition to the Chamber for the excellent job they did on the candidate forum held on October 26, 1996, this forum has been viewed on Channel 8, there was a very poor representation from the community at this candidate forum, the names of Ruth Larson and Jane Nichols were presented as good resources for the proposed ordinance on tobacco substances; a suggestion was made that an organizational meeting or a retreat be held with the Councilmembers following the November 5, 1996 election; at the October 7, 1996 City Council meeting, Councilperson Boedigheimer requested a report on cellular phones and was concerned why it was not on the agenda for this meeting, City Administrator, Johnson, indicated it was on his to do list, Mr. Boedigheimer was looking for information in regard to the justification of how many phones there are and how they are being used; a meeting was held at the Chamber Office with two representatives from the City Council and seven other representatives from different locations within the City to discuss the proposed tobacco substance ordinance, the primary concern in the ordinance is the definition of self service merchandising; a meeting will be held on November 6 in the Cottonwood Room at 7:00 p.m. with representatives from the Humane Society; Councilperson Robley was attending his last City Council meeting and indicated to the Council and others in attendance at the meeting that it has been an honor and pleasure to serve as a Councilmember for the City of Marshall and acknowledge the Mayor, City Council and City staff for their dedication to the City of Marshall; Mayor Byrnes in return, presented

SPECIAL MEETING - NOVEMBER 6, 1996

A special meeting of the Common Council of the City of Marshall was held on November 6, 1996. The meeting was called to order at 5:00 p.m. by Mayor Byrnes in the Council Chambers of the Marshall Municipal Building. In addition to the Mayor, the following members were present: Robley, Doyle, Edblom, Roggeman, Boedigheimer and Stores. Absent: None.

The election returns as filed by the election judges for the General Election held on November 5, 1996 were presented by the Finance Director/City Clerk Thomas M. Meulebroeck. The summary of the votes for the Mayor, Councilmembers and the question on Sunday liquor were determined to be as follows for said election:

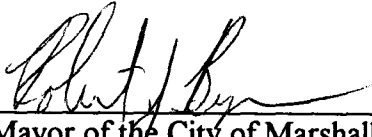
	Ward I	Ward II	Ward III	Ward III	Total
Number of Registered Voters by Election Day	2357	2331	2141		6829
New Registered Voters on Election Day	471	369	331		1171
	-----	-----	-----	-----	-----
	2828	2700	2472	0	8000
MAYOR					
Robert J. Byrnes	1559	1770	1528		4857
Blank	190	174	155		519
Write Ins	16	16	21		53
	-----	-----	-----	-----	-----
	1765	1960	1704		5429
% VOTED	62.41%	72.59%	68.93%		67.86%
COUNCILPERSON					
Donald L. Edblom - 4 yr term	955				955
Robert Lexvold - 4 yr term	426				426
John Doyle - 4 yr term		1670			1670
Maureen Stores - 4 yr term			1396		1396
Ted Rowe - 2 yr term				1090	1090
Thomas James Williams - 2 yr term				442	442
Blank	375	273	294	163	1105
Write Ins	9	17	14	9	49
	-----	-----	-----	-----	-----
TOTAL	1765	1960	1704	1704	7133
QUESTION: SUNDAY LIQUOR?					
Yes	888	912	888		2688
No	830	1021	786		2637

A brief discussion was held at this time in regard to the procedure for the City Council to address the question of Sunday liquor that was approved at the November 5, 1996 election. It was the general consensus that the procedure for dealing with the Sunday liquor be addressed at the regular City Council meeting to be held on November 18, 1996.

SPECIAL MEETING - NOVEMBER 6, 1996

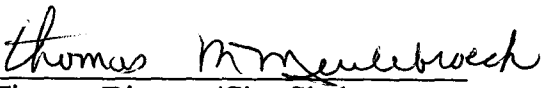
Roggeman moved, Robley seconded, Robert Byrnes be declared duly elected Mayor for the City of Marshall for a term to expire on December 1, 2000 and Don Edblom be declared duly elected as Councilperson for Ward I, John Doyle be declared duly elected as Councilperson for Ward II and Maureen Stores be duly elected as Councilperson for Ward III for the City of Marshall and that all of these elected Councilperson positions expire on December 1, 2000 and that Ted Rowe be declared duly elected as Councilperson for Ward III for the City of Marshall and that this position expire on December 1, 1998. All voted in favor of the motion.

Upon motion made by Robley, and seconded by Stores, the meeting was adjourned. All voted aye.



Mayor of the City of Marshall, Minnesota

ATTEST:



Finance Director/City Clerk

SPECIAL MEETING - NOVEMBER 12, 1996

The special meeting of the Common Council of the City of Marshall was held on November 12, 1996. The meeting was called to order at 7:00 P.M. by Mayor Byrnes in the Cottonwood Room of the Marshall Municipal Building. In addition to Byrnes, the following Council members were present: Doyle, Edblom, Roggeman, Boedigheimer, Stores. Absent: Robley. Others present: Councilmember Elect Ted Rowe, City Administrator Johnson, Director of Public Safety Bahn, City Engineer/Director of Public Works Nelson, Community Services Director Weilage, Wastewater Superintendent Frey, Street Superintendent Herigon, Fire Chief Marks.

City Administrator Johnson provided the City Council with an overview of the proposed 1997 General Fund budget. Mr. Johnson indicated that the initial draft of the proposed 1997 budget had revenues of \$6,534,713 and expenditures of \$7,141,112, with a deficit of \$606,399. The revised first draft of the proposed 1997 budget contained revenues of \$6,525,770 and expenditures totalling \$6,729,061, with a deficit of \$203,291. Mr. Johnson indicated that between the department heads and himself that approximately \$403,108 have been removed from the initial 1997 draft budget. He indicated that there was still approximately \$203,291 still needing to be cut from the proposed budget in order to have it balance for 1997. Mr. Johnson explained the proposed breakdown of the expenses pertaining to personnel, operation and maintenance, capital expenditures, and debt service/transfers and how they compared to the 1996 budget of \$6,409,752.

City Administrator Johnson presented an overview of the budgets contained within the general government section of the General Fund budget pertaining to Mayor and Council, Housing, Human Rights, Planning, Cable TV, Communications, Safety Committee, City Administration, Finance/Clerk/Treasurer, City Assessing, Legal, Community Development, Municipal Building, Data Processing, Duplication, Motor Pool, Transit Service and the Senior Center. In reviewing each of those budgets Mr. Johnson explained what was happening with the breakdown between personnel, operation and maintenance, and capital expenditures compared to the 1996 budget.

Director of Public Safety Bahn then presented to the City Council the proposed budgets for Public Safety and Animal Control. There was a discussion amongst City staff and the City Council pertaining to the animal control budget and that Councilmembers Edblom and Boedigheimer were involved with representatives of the Lyon County Humane Facilities and what type of contractual relationship ought to exist between that agency and the City and Lyon County.

City Engineer/Director of Public Works Nelson then presented the City Council with an overview of the Engineering, Street Department, Airport and Street Lighting budgets for 1997. In addition to the City Engineer, Street Superintendent Herigon was also in attendance and answered questions about the proposed Street Department budget.

SPECIAL MEETING - NOVEMBER 12, 1996

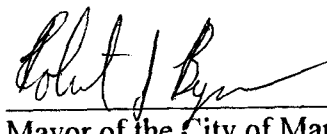
Fire Chief Marks was in attendance to present an overview of the Fire Department budget for 1997. Fire Chief Marks indicated that essentially there was no major increase in his budget for 1997 with the exception of the increase of about \$9,600 in personnel. There was some general discussion on individuals that live at the Fire Station, consumption of alcohol at the Fire Station, the condition of the old snorkel and its value and the future cost of additional fire capital equipment.

The last budget presented for the evening was Community Services Director Weilage who reviewed the various Culture and Recreation budgets with the exception of the Public Library. Director Weilage reviewed the status of the Aquatics Center budget, Parks, Municipal Band, Community Services Administration, Special Events, Recreation, Community Education, Youth Development, and the Ice Arena.

The City Council also reviewed in detail the current status of the proposed capital expenditures for 1997. General discussion amongst the Council and City staff took place regarding the Animal Control budget, the Senior Center, various purchasing policies, the motor grader, the issue of new personnel and legal costs, the possible inclusion of revenues for the tax increment work that will occur in 1997, and the potential staffing needs as they exist for the Corps of Engineers Project.

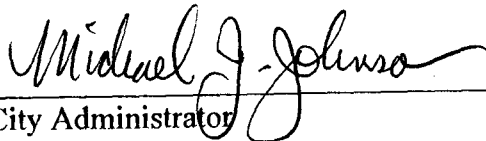
Mayor Byrnes asked City Administrator Johnson to go back to talk with the staff to see if they could come up with various suggestions under either personnel, operation and maintenance, and capital to address the \$203,000 shortage.

On MOTION BY EDBLOM, SECONDED BY DOYLE, the meeting was adjourned at 10:27 P.M. ALL VOTED AYE.



Mayor of the City of Marshall, MN

ATTEST:



City Administrator

SPECIAL MEETING - NOVEMBER 14, 1996

The special meeting of the Common Council of the City of Marshall was held on November 14, 1996. The meeting was called to order at 7:00 P.M. by Mayor Byrnes in the Cottonwood Room of the Marshall Municipal Building. In addition to Byrnes, the following Council members were present: Doyle, Edblom, Roggeman, Boedigheimer. Absent: Robley, Stores. Others staff present included: City Administrator Johnson, Finance Director/City Clerk Meulebroeck, Community Services Director Weilage, City Engineer/Director of Public Works Nelson, Liquor Store Manager VanHyfte, Wastewater Superintendent Frey.

The budget meeting was opened and City Finance Director/City Clerk Meulebroeck presented the City Council with an overview of the capital equipment fund, the property/medical/liability insurance fund, the various debt service funds, the 429 improvement fund, and the special revenue funds including parking, EDA, and those related to recycling, the Marshall Industrial Foundation, and the sale of property. Councilmember Boedigheimer questioned on whether or not the City could get rid of some of the special revenue funds due to the fact that there was limited activity involved in some of the funds. City staff responded that they would take a look at and discuss the issues with the auditors to see what could be done.

The next area of the budget that was reviewed involved the Marshall-Lyon County Library and a presentation was made by Library Director Bosshardt. In addition to the Library Director, the other members of the board that were in attendance were Kathleen Ashe, Mark Goodenow, Stacy Ball, and Steve Lindstrom. Library Director Bosshardt reviewed with the Council the status of the Bookmobile for service in 1997 and indicated that Library wages were being considered at 2.5% versus the possibility of 3% at the City, a discussion on technology and improvements that were needed for continued automation, an indication that the Library was trying to do more collaboration with other agencies and entities for Library services, and an indication that legislation forthcoming in 1997 may possibly help with some funding. Library Director Bosshardt indicated that the Library Board was requesting an increase of \$5,687 in the Library tax levy that was originally set at \$332,135 for the truth in taxation hearing. In addition to the request for the increased levy contribution, the Library was also looking for \$1,000 from the City to apply towards a telecommunications aid grant that needs to be submitted by January 15, 1997. There was a discussion amongst City staff, the City Council and the Library representatives regarding the fact that the initial Library levy exceeded the preliminary levy which is currently at a 5% increase over 1996 (\$15,815) and that it had been reduced to coincide with the maximum General Fund levy that the Council also had set at a 5% increase over 1996. Council complimented representatives from the Library about the planning work that is currently in process but indicated that the preliminary levy that was set for the truth in taxation notices could not be exceeded at this time. There being no further discussion, representatives of the Library left the budget meeting.

Liquor Store Manager VanHyfte was in attendance and presented the City Council with the draft 1997 budget for the liquor store operations. Mr. VanHyfte indicated that there are no significant changes proposed in the 1997 budget with the exception of the capital expenditures proposed for the front entrance improvements. City Administrator Johnson publicly commented that the annual transfer that occurs between the Liquor Fund and the City's General Fund is primarily the result of the excellent operations conducted by Liquor Store Manager VanHyfte over the course of each year. Mr. Johnson indicated that without Mr. VanHyfte's continued

SPECIAL MEETING - NOVEMBER 14, 1996

efforts, the annual transfer probably would not be at the level that it is. Mayor Byrnes commented on behalf of the Council that he concurred with the City Administrator's comments and indicated that Mr. VanHyfte was doing an excellent job at the Liquor Store.

The final area of the budget to be presented on Thursday evening was the proposed Wastewater Treatment Plant budget and it was presented by Wastewater Superintendent Frey. Superintendent Frey indicated that there was less than a 2% increase in the personnel costs for 1997, that the supplies and other charges for 1997 were down about \$50,000 due to improvement projects on the building roofs, clarifiers and parking lots were completed in 1996. Mr. Frey also reviewed the proposed capital improvements which included the proposed \$180,000 for sludge reduction equipment, \$3,000 for a four-wheel vehicle for the Wastewater Superintendent, and \$5,000 for computer technology for the Wastewater Department. In addition to the capital outlay, Superintendent Frey also reviewed the various transfers and debt service payments that were included in the Wastewater budget.

Councilmember Boedigheimer raised questions about the fund depreciation and capital outlay and whether it was being properly recorded as a cash versus non-cash transaction. Mr. Boedigheimer was concerned whether the full value of the depreciated assets were being included in the proposed rate structure. Mr. Boedigheimer asked City staff to review this transaction with the City's auditor and obtain a response prior to the next budget meeting.

Wastewater Superintendent Frey also reviewed with the Council the proposed Wastewater revenues, the proposed rates and volume of usage by the various users. There were questions raised by the Council whether the City would actually generate the revenues as projected by the Wastewater Superintendent who indicated that due to the state of MCP's expansion, that there is some uncertainty in making these projections. Based on the revenue and Wastewater user analysis, it was the consensus of the Council that City staff again talk with the auditors about the fund depreciation issue and its proposed impact on the Wastewater rates.

City Administrator Johnson indicated that it may be an appropriate time for City staff to solicit outside assistance to undertake a complete accounting analysis and rate analysis of the Wastewater operations in light of the fact that accounting and rate information questions were being raised by the City Council. After general discussion, it was the consensus of the Council that it may be prudent for City staff to proceed in this fashion in the future. City Administrator Johnson indicated that he would ask the Finance Department to discuss the Council concerns with the auditor and attempt to report back at the next budget meeting.

City Administrator Johnson indicated that he had met with City staff after the last Council budget workshop and that between revenue adjustments and expenditure reductions that approximately \$115,000 of the \$203,000 deficit had been dealt with. That being the case, there still is approximately \$88,000 that has to be dealt with in order for the 1997 budget to be balance.

BOEDIGHEIMER MOVED, ROGGMAN SECONDED, that the City Council would strongly recommend to the Library Board that their proposed wage adjustments for 1997 be in accord with what the City is doing in order to maintain consistency under the comparable worth laws and pay equity laws. ALL VOTED IN FAVOR OF THE MOTION. Motion carried 5-0.

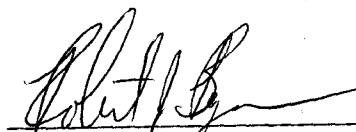
SPECIAL MEETING - NOVEMBER 14, 1996

EDBLOM MOVED, ROGGE MAN SECONDED, that the proposed Library levy limit remain at the same level for 1997 as was certified for the truth in taxation notices at \$332,135. ALL VOTED IN FAVOR OF THE MOTION EXCEPT DOYLE WHO VOTED NAY. Motion carried 4-1.

There was additional discussion amongst the Council trying to take a look at what items could be examined for additional reductions to balance the proposed 1997 budget. There was discussion concerning the proposed health insurance numbers, the parking system fund balance, tax increment financing reimbursement for City staff work in 1997, the funds that exist in the Capital Equipment Fund Reserve and possible other expenditure reductions that could be talked about with the various other boards and commissions.

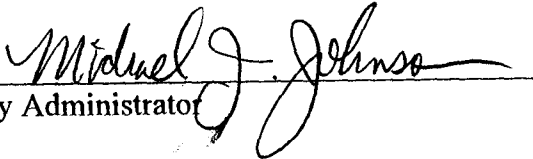
The City Council chose to set the last budget workshop meeting for November 25, 1996 at 7:00 P.M.

Upon MOTION BY ROGGE MAN, SECONDED BY DOYLE, the meeting was adjourned at approximately 9:40 P.M. ALL VOTED AYE.



Mayor of the City of Marshall, MN

ATTEST:



City Administrator

SPECIAL MEETING - NOVEMBER 18, 1996

A special meeting of the Common Council of the City of Marshall was held on November 18, 1996. The meeting was called order at 6:03 p.m. by Mayor Byrnes in the Cottonwood Room of the Marshall Municipal Building. In addition to Byrnes, the following members were present: Doyle, Edblom, Roggeman and Stores. Absent: Boedigheimer and Robley.

Representatives from the Lyon County Commissioners were in attendance at the meeting. Commissioners present were Vandelanotte, Fenske, Cole and Gladis and County Administrator Mark Jorgenson. Others in attendance at the meeting were Ron Halgerson, Mike Johnson, Tom Meulebroeck, Ted Rowe, Marvin Bahn, Don Stokke, Bruce Verdoes and a representative from the press.

The purpose of this special meeting was to provide a status update on the Joint City/County Law Enforcement Center Project.

Mike Johnson, City Administrator, provided the meeting with introductory comments in regard to different meetings that have been held and the progress that has been made in putting together a status report on the Joint Law Enforcement Center. Ron Halgerson, Group II Architects, reviewed the plans with those in attendance at the meeting which included additions to the building and also an addition to the lower floor of the building. Mr. Halgerson indicated that if this project is to proceed it is the intent to receive bids and begin construction in the spring of 1997.

Mike Johnson, City Administrator, and Mark Jorgenson, County Administrator, addressed with those in attendance at the meeting the status as it relates to dispatchers and jailors. It is anticipated that the cost of the building including the structure, furniture and fixtures, architecture and engineering, and financing would be allocated - fifty-six percent to the County and forty-four percent to the City. There were questions and concerns raised at this time in regard to the cost of dispatching being a cost of the County and not that of the City. It was indicated that the County does cover dispatching for some other cities. The intent of the Joint Law Enforcement Center is to eliminate some duplication of equipment and to provide some savings in cost of personnel. If this project is to proceed, the next phase is the preparation of plans and specifications.

It was the general consensus of those in attendance at the meeting that an interview room should be constructed in the area designated as waiting area in the plans and specs and that the size of the waiting room be reduced.

It was also agreed that the areas that need to be addressed are the staffing of the records and reception area; the allocation of cost for the dispatching and the potential for an expansion in the basement area under the entire area that is being proposed for new construction.

Mayor Byrnes adjourned the meeting at 7:03 p.m.



City of Marshall, Minnesota

ATTEST:



Finance Director/City Clerk

REGULAR MEETING - NOVEMBER 18, 1996

The regular meeting of the Common Council of the City of Marshall was held on November 18, 1996. The meeting was called to order at 7:30 p.m. by Mayor Byrnes in the Council Chambers of the Marshall Municipal Building. In addition to Byrnes, the following members were present: Doyle, Edblom, Roggeman and Stores. Absent: Robley and Boedigheimer.

The Pledge of Allegiance was recited at this time.

It was the general consensus of the City Council that the agenda be approved as presented.

Roggeman moved, Doyle seconded, that the minutes of the regular meeting held on November 4, 1996 and the minutes of the special meetings held on November 6, 12 and 14, 1996 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

Stores moved, Doyle seconded, the adoption of ORDINANCE NUMBER 366, SECOND SERIES, and that the reading of the same be waived. Ordinance Number 366, Second Series, is an ordinance regulating nude dancing in licensed liquor establishments in Marshall Minnesota. This ordinance is recommended to be effective January 1, 1997. Dick VanDyke was in attendance at the meeting and was requesting that the adoption of this ordinance be delayed until March 1, 1997. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Roggeman moved, Edblom seconded, Cheryl Derynck, 1110 Bruce Circle, be granted a five year renewal of a Conditional Use Permit for a home occupation to conduct a beauty shop business in an R-1 One Family District. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Doyle moved, Roggeman seconded, the introduction of an ordinance to rezone the property at 112 South 10th Street from I-2 General Industry District to B-3 General Business District and that a public hearing be held at 7:30 p.m. on December 2, 1996 in the Council Chambers of the Municipal Building to consider this ordinance. All voted in favor of the motion.

Frank Josephson and Tom Haynes were in attendance at the meeting to provide the City Council with a presentation on the County Ditch 62 Viewers Report. Mr. Haynes addressed the benefits to justify the \$2.5 million project. This project involves 1,205 acres in the watershed of which 800 is within the City of Marshall. In addition to Josephson and Haynes, Theodore Schwing was a viewer for County Ditch 62. The three viewers were commended for their efforts and the valuable information that was provided in the report that was presented to the Council.

Effective January 1, 1997, the City of Marshall employees will have available to them automatic payroll depositing, therefore, Stores moved, Roggeman seconded, the proper City personnel be authorized to execute those agreements between the City of Marshall and Norwest Bank

REGULAR MEETING - NOVEMBER 18, 1996

including Membership Banking Employer Agreement, a Master Agreement for Cash Management Services and a Security Procedure Agreement for ACH Services. Randy Serreyn from Norwest Bank was in attendance at the meeting to briefly review these agreements with the City Council. All voted in favor of the motion.

Edblom moved, Doyle seconded, that the City of Marshall Debt Service Fund (368) for the 1987B G.O. Improvement Bonds be closed to the "429" Revolving Fund - Fund 495. The remaining balance in this fund is \$34,333.87. This bond issue has been reviewed by Bond Counsel from Gray, Plant, Mooty, Mooty & Bennett and the transferring of the funds to the "429" Revolving Fund was an unacceptable transfer. All voted in favor of the motion.

The City Council had previously authorized the transfer of funds from the Wastewater Treatment Plant Operating Account and Funded Depreciation Account to the DTED Grant Account for improvements to be done under the grant and also for engineering cost. The remaining balance of the funds that were transferred from the Wastewater Operating and Funded Depreciation Accounts is \$52,074.77. Roggeman moved, Stores seconded, the remaining funds and DTED Grant Account (603) in the amount of \$52,074.77 be transferred to the Wastewater Treatment Facility Fund Operating Account to be used for other projects to be done within the Wastewater Treatment Fund. All voted in favor of the motion.

Edblom moved, Doyle seconded, the proper City personnel be authorized to execute a warranty deed to the Minnesota Department of Transportation for the Marshall Municipal Liquor Store property that was needed for the East College Drive Improvement Project and that the proper City personnel be authorized execute a Quit Claim Deed to the Minnesota Department of Transportation from the City of Marshall for all the fee title acquisitions and temporary easements for construction that were obtained for the East College Drive Improvement Project. All voted in favor of the motion.

Doyle moved, Stores seconded, the adoption of RESOLUTION NUMBER 1941, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1941, Second Series, is a resolution authorizing and awarding the sale of and providing the form, terms, covenants and directions for \$83,000 General Obligation Capital Notes, Series 1996. These notes provide funds to acquire snow removal equipment and computer equipment. This resolution provides for the awarding of the notes to First American Bank Southwest, Marshall, Minnesota. All voted in favor of the motion.

At the general election held on November 5, 1996 a question was placed before the voters as to whether or not to allow the City Council to issue Sunday Licenses for the sale of On-Sale Intoxicating Liquor. City Attorney Brian Murphy indicated to the Council that liquor can not be sold on Sunday until the City Council adopts an ordinance. Some legal and physical ramifications Mr. Murphy suggested to be studied prior to the adoption of the ordinance included: whether the City should license at all, should the license be issued for all Sundays or just certain Sundays, the ramifications to the license fees since a wine license, club license and 3.2 beer licenses will no longer

REGULAR MEETING - NOVEMBER 18, 1996

be required on Sundays, the fee for a Sunday liquor license, license fees in general, the hours that liquor may be sold on Sundays, the closing hours of the sale of liquor on Sundays and the food requirement standards. It was the general consensus of the City Council that when these items are addressed that the liquor establishments be notified of the meeting. Roggeman moved, Edblom seconded, the consideration of an ordinance and the license fees for Sunday liquor licenses be referred to the Legislative and Ordinance Committee and the Ways and Means Committee of the City Council. All voted in favor of the motion.

Stores moved, Roggeman seconded, BE IT RESOLVED, that the proper City personnel be authorized to advise the State of Minnesota Charitable Gambling Control Board that they have approved the application for Minnesota Lawful Gambling Premises Permit for the National Multiple Sclerosis Society for operation at the Corner Bar at 126 West Main Street, Marshall, Minnesota. All voted in favor of the motion.

Roggeman moved, Stores seconded, that the following liquor licenses be approved for 1997:

American Legion
Best Western Marshall Inn
Chalet Club
Dakotas Steaks and Pastas
Eagles Club
Gambler
Marshall Golf Club
Sam's Place
Wooden Nickel

These licenses are contingent on the establishments paying the fee and providing an updated certificate of insurance for 1997. The fee for these licenses is \$3,500. All voted in favor of the motion.

Reports by the Mayor and Councilmembers of the various committees, commissions and boards:

Byrnes EDA - there will be meeting on November 19, 1996 to discuss the status of the Tax Increment Financing issues. Mayor Byrnes will not be in attendance at this meeting but did recommend the EDA to take a proactive stand on this issue.

Roggeman Housing Commission - has hired a new maintenance person who resides within their facilities. Planning Commission - all items were addressed at the Council meeting. Community Service Board - did receive a presentation by Linda Nelson on different personalities within the department. Personnel Committee - meeting will be on November 21, 1996.

REGULAR MEETING - NOVEMBER 18, 1996

Stores

Ways and Means Committee - will be holding a meeting on November 20, 1996 and November 26, 1996. Hospital Board - is trying to recruit an OB/GYN doctor. The remodeling is going well. The Hospital Board will be submitting a letter to the City in support of the City adopting an ordinance to control tobacco for teenagers. The board discuss the possibility of Heartland having on-site health care. Discussions to continue in regard to the working relationship between the Weiner Memorial Medical Center and the Affiliated Med.

Edblom

Utilities - will meet on November 19, 1996. Cable Committee - continues to meet and review the cable franchise.

Doyle

Insurance Advisory Commission - minutes are included in the agenda packet. Library Board - continues to discuss technology concerns.

Other items of concern brought forth by the Mayor and Councilmembers included: the appreciation for the hard work and effort that was put in by the Marshall Municipal Utilities employees for the weekend of November 16 and 17 with the ice storm that the City of Marshall was dealing with; a concern was expressed in regard to the City Council having a retreat; the tours that were held at Heartland Foods had a good turn out; Councilperson Roggeman indicated that he would not be available for the December 2, 1996 City Council meeting; the removal of the trees and branches as a result of the recent ice storm was discussed and it was indicated that the City of Marshall Street Department is removing the trees and limbs that are causing hazards but they would not be removing trees and limbs that are not causing street hazards; it was indicated that a 1-2 man crew from the Department of Natural Resources will be assisting City staff with the clean up from the recent ice storm; a representative from the DNR crew was in attendance at the meeting and did indicate that they would be available to help with the cleaning of parks and etc and also expressed a concern with the trees and limbs that are down within the Marshall Cemetery; a suggestion was made that when the Ways and Means Committee meets to review various licenses and fees that consideration be given to dog licenses being available at the local veterinary so they can issue licenses at the same time as they do rabies tag certificates; and that the committee consider the potential of licensing cats as well.

Doyle moved, Edblom seconded, and it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE VOUCHER #68392 through 68560.

The following building permits previously approved by the building official were confirmed:

Hiskin Construction
105 South 6th Street
Reroof Dwelling
\$1,900

Johnson Construction
115 East Redwood Street
Basement Remodel
\$1,200

REGULAR MEETING - NOVEMBER 18, 1996

Larry Vierstraete
310 South 5th Street
Finish Garage Interior
\$1,000

Cecil Doyle
1510 Westwood Drive
Garage Addition
\$8,000

Bakke's Home Repair & Construction
202 James Avenue
Fence
\$500

Crosstown Sign
1404 East Lyon Street
Free Standing Sign
\$3,500

Steve Tutt
710 East College Drive
Warehouse Addition
\$6,000

True Value Home Center
1226 Patricia Court East
Four-Unit Apartment
\$125,000

Upon motion made by Edblom, seconded by Stores, the meeting was adjourned. All voted aye.



Mayor of the City of Marshall, Minnesota

ATTEST:



Finance Director/City Clerk

SPECIAL MEETING - NOVEMBER 25, 1996

A special meeting of the Common Council of the City of Marshall was held on November 25, 1996. The meeting was called to order at 7:00 p.m. by Mayor Byrnes in the Cottonwood Room of the Marshall Municipal Building. In addition to Byrnes, the following members were present: Edblom, Roggeman, Boedigheimer and Stores. Absent: Robley and Doyle.

Others in attendance at the meeting were: Council Elect Ted Rowe, City Engineer Nelson, City Administrator Johnson and Finance Director/City Clerk Meulebroeck.

The first item on the agenda was the consideration of health, life, A.D.D. and long term disability insurance for the City of Marshall employees. Due to additional information being requested to be considered by the Insurance Advisory Committee the consideration of the insurance was withdrawn from the agenda.

Michael Johnson, City Administrator, provided an update on the proposed budget for the General Fund for 1997. Mr. Johnson provided the Council with a listing of various revenue accounts and expense accounts to be adjusted to potentially have a balanced budget for the General Fund. The difference between proposed revenues and expenditures at this time was a \$10,000 difference. Following a review of the various revenues and expenditures for General Fund, Roggeman moved, Edblom seconded, a balanced General Fund Budget be presented for the Truth and Taxation Hearing to be held on December 5, 1997 with the necessary reductions in expenses or increases in revenues that would provide for the balanced budget. All voted in favor of the motion.

A discussion was held at this time in regard to the proposed budget for 1997 for the Wastewater Treatment Facility Plant. In reviewing this budget previously, concerns were expressed in regard to the depreciation budgeted for in the Wastewater Treatment Facilities Fund. Per the information that was provided to the City from the auditors the amount to be included in the budget for the Wastewater Treatment Plant should be the amount of the anticipated depreciation for that given year and that when the City is determining rates for the Wastewater Treatment Facility it should include in its computations the depreciation amount not the capital expenditures for rate determination.

Mayor Byrnes called for a five minute recess at 8:15 p.m.

Stores moved, Doyle seconded, that the City Council meeting be closed to review the proposed pay plan for the City of Marshall employees per MN Statute 471.705 Subd. 1A. All voted in favor of the motion.

Roggeman moved, Doyle seconded, the closed session be adjourned at 10:04 p.m. All voted in favor of the motion.

Mayor Byrnes suggested that the evaluation of the City Administrator's position be done in the near future. This evaluation will be addressed by the Personnel Committee.

Upon motion made by Doyle, seconded by Stores, the meeting was adjourned. All voted aye.



Mayor of the City of Marshall, Minnesota

ATTEST:



Finance Director/City Clerk

REGULAR MEETING - DECEMBER 2, 1996

The regular meeting of the Common Council of the City of Marshall was held on December 2, 1996. The meeting was called to order at 7:30 p.m. by Mayor Byrnes in the Council Chambers of the Marshall Municipal Building. In addition to Byrnes, the following members were present: Rowe, Doyle, Edblom and Stores. Absent: Boedigheimer and Roggeman.

The Pledge of Allegiance was recited at this time.

It was the general consensus of the City Council that the agenda be approved with the addition of consideration of a pipeline license between Burlington Northern Railroad Company and the City of Marshall for the Wastewater Treatment Plant Sanitary Sewer Forcemain Project.

Thomas M. Meulebroeck, Finance Director/City Clerk, administered the Oath of Office to the re-elected Mayor Byrnes and Councilpersons Doyle, Edblom and Stores and newly elected Councilperson Ted Rowe.

Stores moved, Doyle seconded, that the minutes of the regular meeting held on November 18, 1996 and the minutes of the special meetings held on November 18 and 25, 1996 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

Bids were received, opened and read at 2:00 p.m. on November 12, 1996 in the Council Chambers of the Marshall Municipal Building for the construction of a shelter building at Independence Park. The bids that were received were for the base bid consisting of the construction of the Independence Park shelter building and also included four alternates. Alternate #1 was for substantial completion by May 1, 1997 in lieu of December 15, 1996 as specified in the proposal; Alternate #2 is to provide and install cedar shake roofing system in lieu of shingle roofing; Alternate #3 to provide and install 1x6 wood board ceiling in lieu of plywood ceiling; and Alternate #4 is to delete construction of the 18' x 32' concrete patio and steps.

The bids were as follows:

NAME	BID SECURITY	BID AMOUNT				
		BASE BID	ALTERNATE No. 1	ALTERNATE No. 2	ALTERNATE NO. 3	ALTERNATE No. 4
Bladholm Construction P.O. Box 358 Marshall, MN 56258	Bid Bond	\$42,568.00	- \$4,200.00	+ \$4,014.00	+ \$2,360.00	- \$4,091.00 w/#1: - \$2,665.00
Doom & Cuyper 905 Southview Drive Marshall, MN 56258						
Dulas Construction W. Highway 19 Marshall, MN 56258	Bid Bond	No Bid	+ \$38,905.00	+ 4,367.00	+ \$2,695.00	- \$3,835.00
Mears Electric 119 Spruce Lane Marshall, MN 56258						
Obe's Electric 600 N. 3rd Street Marshall, MN 56258						
Sussner Construction P.O. Box 305 Marshall, MN 56258	Bid Bond	\$40,440.00	- \$5,530.00	+ \$2,990.00	+ \$1,410.00	- \$3,399.00

The specifications allow for bidding as follows:

BASE BID:	Construct Independence Park Shelter Building as shown and described on drawings and specifications dated October 21, 1996.
Alternate No. 1:	Substantial Completion by May 1, 1997 in lieu of December 15, 1996 as specified in Proposal.
Alternate No. 2:	Provide and install cedar shake roofing system in lieu of shingle roofing.
Alternate No. 3:	Provide and install 1 x 6 wood board ceiling in lieu of plywood ceiling.
Alternate No. 4:	Delete construction of 18' x 32' concrete patio and steps.

REGULAR MEETING - DECEMBER 2, 1996

Per the recommendation of Harry Weilage, Director of Community Services, Edblom moved, Stores second, the bid for the shelter building at the Independence Park be awarded to Sussner Construction, Marshall, Minnesota, in the amount of \$34,501. This bid is the base bid of \$40,440 less alternate #1 of \$5,530 plus alternate #2 of \$2,990 and less alternate #4 of \$3,399 for a net of \$34,501. All voted in favor of the motion.

This was the date and time set for a public hearing to consider the rezoning of the property at 112 South 10th Street from I-2 General Industry District to B-3 General Business District as requested by Robert J. Tholen. Keith Nelson, City Engineer/Zoning Administrator, addressed the request for the rezoning and indicated that the request is consistent with the Comprehensive Plan of the City of Marshall and that of adjacent properties. A resident of this area was in attendance at the meeting and was concerned with parking in the area especially with Lee's Tae Kwon Do already in this area. The individual was advised that when a business is established in this area that they would have to provide adequate off-street parking for whatever type of business may be established. With no further concerns brought before the public hearing, Doyle moved, Edblom seconded, the public hearing be closed. All voted in favor of the motion.

Stores moved, Edblom seconded, the adoption of ORDINANCE NUMBER 367, SECOND SERIES, and that the reading of the same be waived. Ordinance Number 367, Second Series, is an ordinance amending Chapter 11 of the City Code relating to zoning. This ordinance provides for the rezoning of the property at 112 South 10th Street from I-2 General Industry District to B-3 General Business District. All voted in favor of the motion.

This was the date and time set for a public hearing to receive comments in regard to the proposed modification by the Housing and Redevelopment Authority in and for the City of Marshall of (I) the modified redevelopment plan relating to Redevelopment Project No. 1 to reflect enlargement of the project area and increased project costs and the proposed modification of the tax increment financing plans relating to Tax Increment Financing District Nos. 1-1 through 1-10, all located within Redevelopment Project No. 1 and (II) the modified redevelopment plan relating to Schwan's Redevelopment Project No. 2 to reflect enlargement of the project area and increased project costs and the proposed modification of the tax increment financing plans relating to Tax Increment Financing District Nos. 1 and 2, all located within Schwan's Redevelopment Project No. 2.

Mike Johnson, City Administrator, conducted the public hearing and indicated that the resolution being considered to modifying the tax increment project areas and the cost is a reflection of the City Council's desire and the Housing Redevelopment Authority to undertake future economic development and redevelopment projects within the City of Marshall. Within the packet of information that was provided to the City Council, there were a number of projects that were identified and cost associated with them. Pat Leary on behalf of the Marshall Industry Foundation, indicated that the Foundation is in support of the modifications and that hopefully the monies that are generated from these bond issues will be used for industrial development purposes. John Feda was

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concerned with the Council's decision to sell approximately \$7,000,000 in bonds when by the end of 1996 per the Springsted's report the City will have accumulated \$3,000,000 in excess increments and that potentially by the year 2010 there could be \$24,000,000 accumulated. The City Administrator Johnson and Mayor Byrnes addressed Feda's concern and did provide an explanation for the modifications and the possibility of pooling the increments received for other purposes. Brian Hoffman on behalf of the Economic Development Authority, also addressed support of the proposed resolution to modify the tax increment districts and their project costs. With no further concerns or questions brought before the public hearing, Doyle moved, Stores seconded, the public hearing be closed. All voted in favor of the motion.

Doyle moved, Stores seconded, the adoption of RESOLUTION NUMBER 1942, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1942, Second Series, is a resolution relating to the proposed modification by the Housing and Redevelopment Authority in and for the City of Marshall of (I) the modified redevelopment plan relating to Redevelopment Project No. 1 to reflect enlargement of the project area and increased project costs and the proposed modification of the tax increment financing plans relating to Tax Increment Financing District Nos. 1-1 through 1-10, all located within Redevelopment Project No. 1 and (II) the modified redevelopment plan relating to Schwan's Redevelopment Project No. 2 to reflect enlargement of the project area and increased project costs and the proposed modification of the tax increment financing plans relating to Tax Increment Financing District Nos. 1 and 2, all located within Schwan's Redevelopment Project No. 2. All voted in favor of the motion.

This was the date and time set for a public hearing to consider the resolution ordering improvements to be undertaken within storm sewer improvement District No. 1. Mike Johnson, City Administrator, addressed with the Council and others in attendance at the meeting with the sequence of events that has taken place with the development of the storm sewer improvement district. These improvements are associated with the United States Army Corp of Engineers Project for flood control within the City of Marshall. As part of the City's share of the improvement costs associated with this project, it was the City's intent to issue bonds to match Federal and State monies that have been received to date for this project. Mr. Johnson indicated that it is the intent to repay the bonds for these improvements over 15 years and with the intent that the levy not exceed \$60,000 in any one year. With no further concerns or questions brought before the public hearing. Rowe moved, Edblom seconded, the public hearing be closed. All voted in favor of the motion.

Edblom moved, Stores seconded, the adoption of RESOLUTION NUMBER 1943, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1943, Second Series, is a resolution ordering improvements to be undertaken within the Storm Sewer Improvement District No. 1. All voted in favor of the motion.

Dave MacGillivray from Springsted's was in attendance at the meeting to review with the Council four bond issues that were placed before the City Council. Mr. MacGillivray indicated to the Council that the City of Marshall has received an "A" rating on these bonds from Moody's. The bids received for the four bond issues is as follows:

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\$1,100,000
General Obligation Revenue Bonds, Series 1996A

Bidder	Price	Net Interest Cost	True Interest Rate
Cronin & Company, Inc. Smith Barney	\$1,089,275.00	\$410,560.42	4.9568%
FBS Investment Services, Inc.	\$1,089,275.00	\$410,825.83	4.9592%

\$2,300,000
General Obligation Tax Increment Bonds, Series 1996B

Bidder	Price	Net Interest Cost	True Interest Rate
Piper Jaffray Inc. Robert W. Baird & Co. Inc. Edward D. Jones & Co.	\$2,273,528.50	\$1,253,084.00	5.1078%
Griffin, Kubik Stephens & Thompson, Inc.	\$2,265,500.00	\$1,246,091.67	5.1100%
Cronin & Co., Inc. Smith Barney	\$2,273,461.50	\$1,259,901.00	5.1342%
FBS Investment Services, Inc.	\$2,271,825.00	\$1,261,350.00	5.1385%
Nike Securities William R. Hough & Co. J.C. Bradford & Co. Betzold, Berg & Nussbaun & Co.	\$2,265,621.50	\$1,272,711.83	5.2201%

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\$4,900,000
General Obligation Tax Increment Bonds, Series 1997A

Bidder	Price	Net Interest Cost	True Interest Rate
Griffin, Kubik, Stephens & Thompson, Inc.	\$4,826,500.00	\$2,808,500.00	5.0999%
Piper Jaffray Inc. Robert W. Baird & Co. Inc. Edward D. Jones & Co.	\$4,876,872.00	\$2,839,159.25	5.1042%
Cronin & Co. Inc. Smith Barney	\$4,864,083.00	\$2,844,539.92	5.1218%
Dain Bosworth Inc.	\$4,831,660.00	\$2,839,385.83	5.1369%
Prudential Securities, Inc. Dean Witter Reynolds Inc. Painewebber Inc. Oppenheimer & Co. Inc.	\$4,826,500.00	\$2,840,783.33	5.1435%
FBS Investment Services	\$4,846,100.00	\$2,852,385.42	5.1467%
Nike Securities William Hough & Co. J.C. Bradford & Co. Betzold, Berg & Nussbaum & Co.	\$4,826,801.50	\$2,839,311.00	5.1504%

\$385,000
General Obligation Refunding Bonds, Series 1997B

Bidder	Price	Net Interest Cost	True Interest Rate
Cronin & Company, Inc.	\$381,053.75	\$85,087.08	4.6171%
FBS Investment Services, Inc	\$382,305.00	\$85,416.46	4.6233%

Doyle moved, Edblom seconded, the adoption of RESOLUTION NUMBER 1944, SECOND

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SERIES, and that the reading of the same be waived. Resolution Number 1944, Second Series, is a resolution authorizing and awarding the sale of and providing the form, terms, covenants and directions for \$1,100,000 General Obligation Revenue Bonds Series 1996A. These bonds were awarded to Cronin and Company Inc. for a price of \$1,089,275.00 with a true interest rate of 4.9568 percent. All voted in favor of the motion.

Rowe moved, Doyle seconded, the adoption of RESOLUTION NUMBER 1945, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1945, Second Series, is a resolution authorizing and awarding the sale of and providing the form, terms covenants and directions for \$2,300,000.00 General Obligation Tax Increment Bonds Series 1996B. These bonds were awarded to Piper Jaffray Incorporated at a price of \$2,273,528.50 with a true interest rate of 5.1078 percent. All voted in favor of the motion.

Edblom moved, Stores seconded, the adoption of RESOLUTION NUMBER 1946, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1946, Second Series, is a resolution authorizing and awarding the sale of and providing the form, terms covenants and directions for \$4,900,000.00 General Obligation Tax Increment Bonds Series 1997A. These bonds were sold to Griffin, Kubik, Stephens & Thompson Incorporated in the amount of \$4,826,500.00 and with a true interest rate of 5.0999 percent. All voted in favor of the motion.

Doyle moved, Rowe seconded, the adoption of RESOLUTION NUMBER 1947, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1947, Second Series, is a resolution authorizing and awarding the sale of and providing the form, terms, covenants and directions for \$385,000 General Obligation Refunding Bonds Series 1997B. These bonds were sold to Cronin and Company Incorporated at a price of \$381,053.75 with a true interest rate of 4.6171 percent. All voted in favor of the motion.

Stores moved, Doyle seconded, the adoption of RESOLUTION NUMBER 1948, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1948, Second Series, approving the bylaws of the Marshall Volunteer Firefighters Relief Association. This resolution allows for the benefit to increase to \$3,100.00 for each year that a member of the Volunteer Firefighters Relief Association has served as an active member of the Marshall Fire Department. President of the Volunteer Firefighters Relief Association, Russ Labat, expressed his appreciation to Mayor Byrnes, Finance Director/City Clerk Meulebroeck, City Administrator Johnson and City Attorney Murphy for their assistance to the Relief Association in updating the bylaws for the association. All voted in favor of the motion.

Sheldon Kimpling, Chairperson of the Insurance Advisory Commission, was in attendance at the meeting to review with the Council the proposals that were received for the City of Marshall's health insurance premiums, life and A.D.D. insurance and long term disability.

Per the recommendation of the Insurance Advisory Commission, Edblom moved, Doyle seconded, the life and A.D.D. insurance be awarded to Madison National Life Insurance Company

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at a rate of \$.18 per thousand for employee life, \$.035 per thousand for employee A.D.D., and the dependent life be a \$1.65 per unit. All voted in favor of the motion.

Upon the recommendation of the Insurance Advisory Commission, Byrnes moved, Doyle seconded, the long term disability be awarded to Schools Insurance Fund through the Madison National Life at \$.39 per hundred dollars of earnings. A proposal was received from Fortis Benefits Insurance Company which had a deviation from the current policy in that mental illness provided for a 24 month maximum whereby the patient would have to be hospitalized to receive the benefit and there would be nothing available after that period of time. Fortis did submit an amended proposal on December 2, 1996 indicating that they would provide coverage for mental illness as any other illness and that their premium would be increased to \$.37 per hundred dollars of earnings. All voted in favor of the motion.

There was a lengthy discussion led by Chairperson Kimpling in regard to the health insurance proposals that were received. Mr. Kimpling indicated that the City of Marshall is currently with the Woodmen Accident and Life through the Minnesota Municipal Utilities Association Pool Program. The recommendation of the Insurance Advisory Commission was to continue the coverage with Woodmen Accident and Life through the Minnesota Municipal Utilities Association Pool Program at a premium of \$163.00 per month for single coverage for a \$500 deductible and a premium of \$373.00 per month for family coverage with a \$1,000 deductible for a period of six months and at that time the rates would again be reviewed. Following the recommendation of the Insurance Advisory Commission, a proposal was received from Blue Cross/Blue Shield through a program administered through the ECSU. Char Osthus from Appletree Institute and Cecil Doyle from Doyle Insurance Agency out of Minneota were in attendance at the meeting to address their proposal with the Council. Edblom moved, Doyle seconded, that the decision to award the health insurance be tabled to the December 16, 1996 City Council meeting for the information to be discussed with the employees and that a decision would be made at the December 16, 1996 meeting. All voted in favor of the motion.

Keith Nelson, City Engineer/Public Works Director, reviewed with the City Council Change Order #1 for the contract with Robert L. Carr Company for the clarifier modifications at the Wastewater Treatment Plant. This change order is an increase in the amount of \$1,764.00 to the contract and this increase provides for the furnishing and applying epoxy coating on existing scum boxes and the furnishing and applying of caulk at the top of the new weirs on the clarifiers. Doyle moved, Rowe seconded, the approval of Change Order #1 with Robert L. Carr for the clarifier modifications in the amount of \$1,764.00 to furnish and apply epoxy coating on existing scum boxes and to furnish and apply caulking at the top of the new weirs on the clarifiers. All voted in favor of the motion.

Edblom moved, Stores seconded, a public hearing be held at 7:30 p.m. on December 16, 1996 to address the wastewater rate structure for fiscal year 1997 rates and that the proposed rate structure be reviewed with the major industries prior to the public hearing. All voted in favor of the motion.

REGULAR MEETING - DECEMBER 2, 1996

Per the recommendation of the Marshall Senior Citizens Commission, Doyle moved, Stores seconded, the proper City personnel be authorized to execute the agreement between the Marshall Area Senior Citizens, Inc. and the Marshall Senior Citizens Commission for the use of the Senior Citizens Center and this agreement provides for the corporation to make a monthly contribution to the City of \$550. All voted in favor of the motion.

The Legislative and Ordinance Committee of the City Council had reviewed the NSF check policy and it was their recommendation that it remain the same and that it be reviewed sometime in July of 1997, therefore, there was no action taken on this agenda item.

Per the recommendation of Mayor Byrnes, Doyle moved, Edblom seconded, the Council committees and liaisons to boards and commissions be as follows:

President Pro-Tem - Maureen Stores

Personnel Committee

Gene Roggeman
Maureen Stores
Don Edblom

Legislative & Ordinance Committee

Maureen Stores
Ted Rowe
John Doyle

Ways & Means Committee

Mike Boedigheimer
Don Edblom
Ted Rowe

Public Improvement Committee/ Transportation Committee

Mike Boedigheimer
John Doyle
Gene Roggeman

Liaisons to Boards & Commissions:

Airport Commission - Mike Boedigheimer
Cable Television Commission - Don Edblom
Charter Commission - Gene Roggeman
Community Services Advisory Board - Gene Roggeman
Economic Development Authority - Bob Byrnes, John Doyle
Hospital Board - Maureen Stores
Housing Commission - John Doyle
Human Rights Commission - John Doyle
Insurance Advisory Commission - Ted Rowe
Library Board - Ted Rowe
Planning Commission - Gene Roggeman

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Senior Citizen Center Commission - Mike Boedigheimer
Utilities Commission - Don Edblom

Marshall Celebrates - 125th - Maureen Stores
Fire Relief Association - Bob Byrnes
Regional Development Commission - Bob Byrnes
Convention & Visitors Bureau - Don Edblom
Lyon County Ice Facility Board - Maureen Stores, Gene Roggeman, Ted Rowe
City Council-County Board/Library Agreement & Operations - Maureen Stores,
Ted Rowe
Lyon County Enterprise Development - Mike Boedigheimer
Joint Law Enforcement Committee - Gene Roggeman, Mike Boedigheimer

All voted in favor of the motion.

Edblom moved, Doyle seconded, the adoption of RESOLUTION NUMBER 1949, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1949, Second Series, is a resolution appointing certain members of the City of Marshall, Minnesota, Charter Commission and establishing their terms of office. This resolution provides for Eugene Roggeman to be appointed to the Charter Commission for a term to expire on September 1, 2000. All voted in favor of the motion.

Stores moved, Edblom seconded, an On-Sale Intoxicating Liquor License be granted to Dick VanDyke DBA Corner Bar for 1997 at a fee of \$3,500 and contingent upon the City receiving a certificate of insurance for 1997. All voted in favor of the motion.

Edblom moved, Rowe seconded, that the proper City personnel be authorized to advertise for bids for the pickup and removal of garbage and trash for various City locations and that these bids be received by December 16, 1996 and be considered at the regular meeting on that same date. All voted in favor of the motion.

Edblom moved, Doyle seconded, that the proper City personnel be authorized to execute a pipeline license between Burlington Northern Railroad Company and the City of Marshall for the Wastewater Treatment Plant Sanitary Sewer Forcemain Project. This license is needed for the City of Marshall to cross the railroad line with the Sanitary Sewer Forcemain Project. All voted in favor of the motion.

Reports by the Mayor and Councilmembers of the various committees, commissions and boards were as follows:

Byrnes EDA - minutes were included with the agenda packets.

Stores Ways and Means - needs to establish a meeting to discuss the various fees collected by the City.

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Edblom Convention and Visitors Bureau - did an annual review of the director and reviewed the budget that has been adopted. Utility Commission - Water rate increase was approved with a three step process which is to be voted on each year. The budget for the Municipal Utilities was provided to the City Council and will be reviewed at the December 16, 1996 meeting.

Doyle Insurance Advisory Committee - minutes are included in the agenda packets.

Other items of concern brought forth by the Mayor and Councilmembers included: A concern with the volume of traffic at the intersection of Highway 23 and Saratoga Street; a question was raised in regard to the status of the report on the trailer parks; the City of Marshall Street Department was complimented for their work that they had been doing the last couple weeks in regard to the weather conditions that we have had; comments were made in regard to the possibility of this area being declared a public disaster area as a result of the recent ice storms that we have encountered; a suggestion was made that those departments who have incurred cost as a result of this storm be maintained and if needed provided to FEMA.

Edblom moved, Doyle seconded, and it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE VOUCHER #68561 through 68711.

The following building permits previously approved by the building official were confirmed:

Greig & Gregerson
256 West Main Street
Install Ceiling
\$1,000

Darv Eckness
610 West Marshall Street
Dwelling Addition
\$44,000


Richard VanDyke
128 West Main Street
Interior Remodel
\$2,000

City Administrator Johnson advised the City Council of the Truth and Taxation meeting to be held at 7:00 p.m. in the Council Chambers of the Municipal Building on December 5, 1996.

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



Mayor of the City of Marshall, Minnesota

ATTEST:

Finance Director/City Clerk

TRUTH AND TAXATION HEARING
DECEMBER 5, 1996

The truth and taxation hearing was called to order at 7:02 p.m. in the Council Chambers of the Marshall Municipal Building by Mayor Byrnes. In addition to Byrnes, the following members were in attendance at the meeting: Rowe, Edblom, Roggeman, Boedigheimer and Stores. Absent: Doyle.

Others in attendance at the meeting included City staff - Mike Johnson, City Administrator; Thomas M. Meulebroeck, Finance Director - City Clerk and Terri McCausland from Cable 8; Dean Champine from the County Assessor's Office, one representative from the press and three residents of the City of Marshall.

Mayor Byrnes added to the agenda the consideration of a temporary On-Sale Intoxicating Liquor License for the American Legion Post 113 for operations at the National Guard Armory, Marshall, Minnesota on Saturday, December 14, 1996. Roggeman moved, Edblom seconded, a temporary On-Sale Intoxicating Liquor License be approved for the American Legion Post 113 for operations at the National Guard Armory, Marshall, Minnesota on Saturday, December 14, 1996. All voted in favor of the motion.

The Truth and Taxation Hearing is an opportunity to provide information on the proposed 1997 general fund budget and the means that the general public may comment on various items included in the budget before it is adopted. Mike Johnson, City Administrator, presided over the public hearing. Mr. Johnson indicated that three years ago goals were established in preparing a budget for the general fund. Those goals which were established and are on target were to eliminate deficit spending, to discontinue the spend down of the reserves, to have a balanced budget, and to improve abilities for cash flow. Mr. Johnson briefly mentioned some of the major projects that will be taking place in 1997. These projects included the Corp of Engineers, construction and land acquisition, the Ditch 62 Project, the Birch Street paving and storm sewer, the Bruce and Minnesota Street Storm Sewer Project, South 4th Street from Elaine Street to Highway 23 construction, the implementation of a storm sewer utility, City Hall reroofing, and the Wastewater/Sanitary Sewer Project on Main Street. Mr. Johnson briefly reviewed the handout that was made available to the City Council and others in attendance at the public hearing. This handout provided financial comparisons for a number of years as well as bar graphs and pie charts to better explain the comparisons over the previous years and the amounts budgeted for 1997.

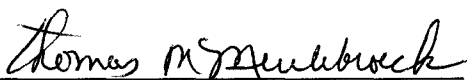
A question was raised in regard to the increase in expenditures in the Parks Department. In response to this question it was indicated that there is a capital expenditure in there of approximately of \$76,000 for a bike trail and of this amount there is an 80 percent corresponding revenue in the revenue side of the budget. A letter was received from Gary Frandson, 106 Thomas Avenue, expressing his concern with the proposed increases being unacceptable and suggesting that the budget be adjusted downward and that emphasis be placed on demonstrating fiscal responsibility.

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



Mayor of the City of Marshall, Minnesota

ATTEST:



Finance Director/City Clerk

REGULAR MEETING - DECEMBER 16, 1996

The regular meeting of the Common Council of the City of Marshall was held on December 16, 1996. The meeting was called to order at 7:30 p.m. by Mayor Byrnes in the Council Chambers of the Marshall Municipal Building. In addition to Byrnes, the following members were present: Rowe, Doyle, Edblom, Boedigheimer and Stores. Absent: Roggeman.

The Pledge of Allegiance was recited at this time.

It was the general consensus of the City Council that the agenda be approved with the consideration of renewal of the agreement with DCA for the administration of the City's dental claims and the addition of the consideration of the proposed settlement with Richard Knutson Inc. for the Southside Trunk Sewer Project 1993-001C.

Rowe moved, Edblom seconded, the minutes of the regular meeting held on December 2, 1996 be approved as filed with each member and that the reading of the same be waived and also the approval of the Truth and Taxation Hearing minutes as corrected to indicate the date for the use of the temporary On-Sale Intoxicating Liquor License for the American Legion Post to be December 14, 1996. All voted in favor of the motion.

A bid was received, opened, and read on Monday, December 16, 1996 for the garbage collection and disposal for various locations around the City of Marshall for the period January 1, 1997 through December 31, 1998 from Ritter's Sanitary Service which was as follows:

<u>Location</u>	<u>Job Description</u>	<u>Fee For Two (2) Years</u>
1. Wastewater Treatment Plant	Twice per week, two (2) one and one-half yard containers	<u>\$4,267.74</u>
2. Fire Station	"On Call" service & payment, one, (1) one yard container, estimated 24 times per year	<u>\$ 924.00</u> Est
3. Municipal Airport	Once a week, one (1) one yard container	<u>\$1,972.88</u>
	"On Call" service one (1) one yard container	<u>\$ 18.97</u> Est
4. Street Dept. Shops	Once per week, one (1) one yard container	<u>\$1,972.88</u>

REGULAR MEETING - DECEMBER 16, 1996

5. Main St. between College Dr. & 5th St., 3rd St. between Main St. & Lyon St.	Ten (10) sidewalk containers, once (1) per week	<u>\$1,931.72</u>
6. Municipal Liquor Store	Two (2) times per week, one (1) one and one-half yard container and recyclable corrugated cardboard	<u>\$4,004.00</u>
7. Legion Field Park	"On Call" service and payment from April 1 to Oct. 31, one (1) three yard container (estimated 20times per year)	<u>\$1,155.20</u> Est
9. Justice Park	"On Call" service and payment from April 1 to Oct. 1, one (1) three yard container, estimated 50 times/year	<u>\$2,888.00</u> Est
10. Softball Complex	"On Call" service and payment from May 1 to Sept. 1, one (1) three yard container, estimated 25 times/yr	<u>\$1,444.00</u> Est
11. Swimming Pool	"On Call" service and payment from June 1 to Sept. 1, one (1) three yard container, estimated 20 times/yr	<u>\$1,155.20</u> Est
12. Park Maint. Shop	"On Call" service and payment from Oct. 1 to April 1, one (1) one and one-half-yard container, estimated 20 times/yr	<u>\$ 770.00</u> Est
14. Municipal Building	Five (5) days per week three (3) 30 gallon containers	<u>\$ 842.65</u>
15. Senior Citizen Center Building	One (1) time per week, one (1) one yard container	<u>\$1,972.88</u>
16. Independence Park	"On Call" one (1) three- yard container estimated 20 times per year	<u>\$ 924.16</u> Est

REGULAR MEETING - DECEMBER 16, 1996

17. Independence Park (Baseball Complex)	"On Call" one (1) one and one-half yard container estimated 20 times per year	<u>\$1,155.20</u> Est
18. Liberty Park	"On Call" one and one-half yard container estimated 10 times per year	<u>\$ 380.00</u> Est
Sub Total		<u>\$28,157.35</u>
Sales Tax		<u>\$ 1,830.23</u>
Total Bid		<u>\$29,987.88</u>

18. 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 on once a week pickup)

Each 30 gallon container	<u>\$ 3.00</u>
Each one-yard container	<u>\$ 18.97</u>
Each one and one-half yard container	<u>\$ 19.25</u>
Each three-yard container	<u>\$ 28.88</u>

All containers are subject to \$.60 per yard state assessment.

Thomas M. Meulebroeck, Finance Director/City Clerk, provided a copy of the bid received along with the amounts of the contract for the same locations for the prior two years. Mr. Meulebroeck also highlighted those items that are different in the bid received from the contract for the prior two years. A question was addressed as to whether or not the parks had recycling containers and that they should be encouraged to use them in these locations.

Following a review of the bid that was submitted, Boedigheimer moved, Doyle seconded, the bid for the garbage collection and disposal for various locations in the City of Marshall for the period of January 1, 1997 to December 31, 1998 be awarded to Ritters Sanitary Service in the amount of \$29,987.58 plus a \$.60 per yard State assessment on all containers. This bid does include sales tax and was awarded with the understanding that if the City Council enters into an agreement with the Humane Society that this portion of the contract would be deleted. All voted in favor of the motion.

The City of Marshall did received bids for four parcels of agricultural property that the City of Marshall owns. These bids were referred to City Attorney Brian Murphy for his review and the

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drafting of the farm leases for a three year period for 1997 through 1999. Mr. Murphy indicated that Parcel #1 which is 83.7 acres to the north of the Wastewater Treatment Plant - the City was in receipt of five bids ranging from \$15 per acre to \$82.75 per acre; Parcel #2 which is 45.09 acres which is to the west of the Industrial Park #2 and the City received two bids ranging from \$50 to \$66 per acre; Parcel #3 was 166 acres which is the airport property and the City received nine bids for this property ranging from \$75 to \$111 per acre; and Parcel #4 is a 8.5 acre parcel of property adjacent to the compost site on North Seventh Street, three bids were received for this property ranging from \$15 to \$61 per acre. Per the recommendation of City Attorney Brian Murphy, Rowe moved, Edblom seconded, the proper City personnel be authorized to execute the farm lease agreements as follows:

Parcel #1 - 83.7 Acres - which is the property North of the Wastewater Treatment Plant be approved for a three year period in the amount of \$6,787.66 to be paid March 1 of each year 1997 through 1999 and that this agreement be entered into with Steve Schuler.

Parcel #2 - 45.09 Acres - which property is to the West of the Industrial Park #2 and this farm lease be entered into with Doug Klein at a rate of \$2,859.06 to be paid March 1 of each year from 1997 through 1999.

Parcel #3 - 166.05 Acres of airport property a lease be entered into with Wayne DeBaere at a rate of \$18,064.55 per year to be paid March 1 of 1997 through 1999.

Parcel #4 - 8.5 Acres adjacent to the compost site on North Seventh Street be leased to Doug Klein at a rate of \$508.13 for three years beginning March 1, 1997 through March 1999. The rent for all of these properties is to be paid by March 1 of each year and that no planting is to take place until the rent is paid in full. All voted in favor of the motion.

This was the date and time set for a public hearing to consider the 1997 wastewater rates. Keith Nelson, City Engineer/Director of Public Works, briefly reviewed the proposed wastewater rates for 1997. Mr. Nelson did indicate that City staff has met with major industries to discuss the rate increase. With no further comments or questions brought forth at the public hearing. Doyle moved, Stores seconded, the public hearing be closed. All voted in favor of the motion.

Edblom moved, Stores seconded, the adoption of RESOLUTION NUMBER 1950, SECOND SERIES, and the reading of the same be waived. Resolution Number 1950, Second Series is a resolution revising the user rates for wastewater service effective January 1, 1997. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Stores moved, Doyle seconded, a Conditional Use Permit be approved to classify as a conforming use a non-conforming four unit apartment existing in a B-2 General Business District at the time of the establishment of the district at 533 West Main Street. All voted in favor of the motion.

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Stores moved, Doyle seconded, the introduction of an ordinance to rezone a portion of 800 East Main Street from R-4 to B-3 General Business District and that a public hearing be held on January 6, 1997 to consider this ordinance. The Planning Commission did consider this rezoning and it was there recommendation to deny the request for the rezoning of this property. All voted in favor of the motion.

Greg Sherman, Manager of the Marshall Municipal Utilities, was in attendance at the meeting to briefly review with the City Council the proposed 1997 budget for the Marshall Municipal Utilities electric and water departments. Also in attendance at the meeting were Jim Babcock, Chairman of the Utilities Commission, and Bill Larson, Finance Officer for the Municipal Utilities. Mr. Sherman indicated that the electrical budget is in the amount of \$17,385,168 for 1997 and the water budget is \$2,212,000; that the 1997 budget does not have an increase in electrical rates and that the budget for 1997 does include a rate increase for the water department and it is proposed that there will be increases in rates for 1998 and 1999 as well for the water rates. Mr. Sherman also indicated that in the electric budget there is a contingency of \$250,000 for any emergency or unexpected type expenses. Mr. Sherman advised the Council that as of this date the Municipal Utilities has encountered approximately \$150,000 worth of damages as a result of the winter ice and snow storms and that there are some unknowns that may increase this amount of damage.

Sheldon Kimpling, Chairperson of the Insurance Advisory Commission, was in attendance at the meeting to discuss with the City Council the proposals received for the City of Marshall employees health insurance coverage. Mr. Kimpling did indicate that he had received correspondence from the City's current carrier Woodmen Accident and Life which is administered through the Flexible Benefits Administration that the proposed rates for 1997 would be remain at the same rates that they currently at which is \$163 for single coverage for a monthly premium and \$373 for family coverage for a monthly premium. Mr. Kimpling reviewed advantages and disadvantages with the Woodmen Accident and Life policy through the Minnesota Municipal Utilities Association and the Blue Cross/Blue Shield program administered through the Minnesota Service Cooperative. Boedigheimer moved, Rowe seconded, the health insurance coverage for the City of Marshall employees remain with Woodmen Accident and Life through the Municipal Utilities Association for a premium of \$163 per month for single coverage and \$373 per month for the family coverage. All voted in favor of the motion except Edblom who voted no.

Sheldon Kimpling also reviewed the pros and cons of the proposals that were received for the City of Marshall's workers' compensation insurance. The proposals that were received for the City of Marshall's workers' compensation insurance were received from the League of Minnesota Cities Insurance which is administered through Berkley Risk and also from RTW-American Compensation Insurance Company. Per the recommendation of the Insurance Advisory Commission, Rowe moved, Doyle seconded, the City's workers' compensation be renewed with the League of Minnesota Cities Insurance Trust administered by Berkley Administrators effective January 1, 1997 with a \$2,500 deductible and that serious consideration be given to implementing a managed care program. All voted in favor of the motion.

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Upon the recommendation of the Insurance Advisory Commission, Doyle moved, Stores seconded, the proper City personnel be authorized to execute an agreement with DCA Inc. for the administration of the City of Marshall's dental plan for its employees and that the fee be increased from \$3.15 to \$3.25 per month per enrolled fee. All voted in favor of the motion.

Brennan (Buc) McAlpine and Rich Serreyn were in attendance to provide the City Council with an update on the ambulance operations with North Ambulance Service. Mr. McAlpine indicated to the Council that they have received approval for the Attorney General's Office for their license to be upgraded to an ALS operation with is a paramedic level service effective January 1, 1997. Mr. McAlpine also indicated that the service will be adding a fourth ambulance to its fleet and that they will be increasing their available training service.

Rowe moved, Edblom seconded, the proper City personnel be authorized to execute an extension of the contract with Southwest State University for the security contract to be extended through January 1, 1997 at a rate of \$6,835.15. All voted in favor of the motion.

Edblom moved, Stores seconded, the adoption of RESOLUTION NUMBER 1951, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1951, Second Series, is a resolution adopting a budget for 1997 for the City of Marshall. This budget provides for the general fund revenues and expenditures to be set at \$6,640,992 and that these revenues would be supported by a tax levy of \$1,888,508. All voted in favor of the motion.

Stores moved, Edblom seconded, the adoption of RESOLUTION NUMBER 1952, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1952, Second Series, is a resolution approving the 1996 tax levy, collectible in 1997. This resolution provides for a total levy of \$2,000,671 which consists of \$1,888,508 for the General Fund and a \$112,163 for the Debt Service Fund. All voted in favor of the motion.

Stores moved, Rowe seconded, Brian Murphy be appointed City Attorney for a term of two years. All voted in favor of the motion.

Doyle moved, Edblom seconded, that the proper City personnel be authorized to execute the contract for the engineer technician position for the calendar year 1997. This contract provides for a three percent increase in the salary for this position. All voted in favor of the motion.

Doyle moved, Stores seconded, that the meeting dates for the City Council meetings be changed as follows:

January 20 - Martin Luther King Jr. Day - to be held on Tuesday, January 21, 1997.
February 17 - President's Day - to be held on Tuesday, February 18, 1997.
September 1 - Labor Day - to be held on Tuesday, September 2, 1997.

All voted in favor of the motion.

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Doyle moved, Stores seconded, the adoption of RESOLUTION NUMBER 1953, SECOND SERIES, and that the reading of the same be waived. Resolution Number 1953, Second Series is a resolution approving the appointment and reappointment of commissioners to the Housing and Redevelopment Authority in and for the City of Marshall. This resolution provides for the appointment of Ted Rowe and the reappointment of Gene Roggeman to the Housing and Redevelopment Authority for five years expiring on December 16, 2001. All voted in favor of the motion.

Edblom moved, Boedigheimer seconded, and it was unanimously approved to grant the following licenses for 1997:

Liquor \$3,500

Marshall Bowl

Wine (\$300.00)

Chalet Club

Marshall Inn

Off-Sale Beer (\$50.00)

Casey's General Store

Freedom Value Center

Hy-Vee Food Store

Cattoor Oil-Phillips 66 West

Marshall Golf Club

Lyon Co Co-op - Ampride

Texaco

VFW Club

On-Sale Beer

Chalet Club (\$75.00)

Eagles Club (\$75.00)

Godfathers Pizza (\$150.00)

Marshall Golf Club (\$75.00)

Marshall Inn (\$75.00)

Pizza Hut (\$150.00)

VFW (\$150.00)

Towing & Storage (\$150.00)

Brad's One Stop

Transient Merchants (\$250.00)

Clothing Concepts

Pacesetter Corporation

WVS Marketing

Tobacco (\$48.00)

American Legion

Bookstore Corral - SSU

Brad's One Stop

Casey's General Store

Cattoor Oil-Phillips 66 West

Chalet Club

County Market

Eagles Club

Freedom Value Center

Gambler

Hy-Vee Food Store

Kmart

Len's Southside

Lyon Co Co-Op - Ampride

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Marshall Golf Club
Marshall Holiday Express
Marshall Inn
Marshall Liquor Store
Sam's Place
Shopko
Super America
Texaco
Thrifty White
Travelers Lodge
Walmart
Wooden Nickel

City Administrator Mike Johnson reviewed with the Council an agreement received from Springsted's Inc. for the continuing disclosure and/or arbitrage and rebate monitoring and addendum "A" to this agreement which is for the continuing disclosure services and addendum "B" which is the arbitrage and rebate monitoring services. Edblom moved, Stores seconded, the proper City personnel be authorized to execute the agreement between the City of Marshall and Springsted's Inc. for the continuing disclosure and/or arbitrage and rebate monitoring and addendum "A" for the disclosure services and addendum "B" the arbitrage and rebate monitoring services. These documents are to be reviewed with the auditors to confirm that there isn't a duplication of work and charges being done for these agreements. All voted in favor of the motion.

Edblom moved, Doyle seconded, the proper City personnel be authorized to execute Change Order #1 for the Wastewater Forcemain Replacement Project for the contract with Pipestone Concrete. This change order provides for an extension in the substantial completion date to January 15, 1997. This change order also indicated that any additional cost to the owner as a result of leakage and/or resulting repairs to the forcemain being replaced or road maintenance costs to cut across North 7th Street will be charged against the contractor's final payment. The contractor did acknowledge approval of this in the change order. All voted in favor of the motion.

Mayor Byrnes called for a five minute recess at 9:10 p.m.

A discussion was held at this time in regard to the lease agreement between the City of Marshall and the Humane Society of Lyon County Inc. for the animal impound building and also an agreement between the City of Marshall and the Humane Society of Lyon County Inc. for the operations of this facility. Boedigheimer moved, Edblom seconded, the agreement and lease be approved with an amount of \$6,500 to be paid to the society each year for the operations of the impound activities. There was some discussion expressed as to whether or not this was an acceptable amount to the Humane Society and if so how it was to be paid to the society. A number of members from the Humane Society were in attendance at the meeting and were not sure if this was an adequate amount for the operation therefore the motion and second to approve the agreement was rescinded and it was the general consensus of the Council that representatives from the City Council meet with

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representatives from the Humane Society to iron out the terms of the agreement and that this be brought back to the next City Council meeting.

The City Attorney advised the City Council at this time that they could close the meeting to discuss the litigation between Richard Knutson Inc. and the City of Marshall. It was the consensus of the City Council to not close the meeting to discuss this litigation. Mr. Murphy addressed with the City Council the sequence of events that have taken place with the litigation between Richard Knutson, Inc. and the City of Marshall for the Southside Trunk Sewer Project 1993-001C. Mr. Murphy indicated that there are some vendors that have not been paid by Richard Knutson Inc. for the work involved in this project. City Attorney Murphy is recommending a settlement on this claim. Boedigheimer moved, Doyle seconded, the proper City personnel be authorized to enter into a close out agreement for the contract between Richard Knutson, Inc. and the City of Marshall. The settlement to be made to Richard Knutson, Inc. is in the amount of \$50,000 contingent upon the attorney Steve Melcher, Fabyanske, Svoboda, Westra & Hart, P.A. receiving documentation that all vendors have been paid for their services in relationship to the contract. All voted in favor of the motion.

Reports by the Mayor and Councilmembers of the various committees, commissions and boards were as follows:

Byrnes	No reports.
Stores	<u>Personnel</u> - the forms for the City Administrator's evaluation are available and to be completed by the members of the City Council. An all employee meeting will be held at 3:00 p.m. on December 18, 1996 to discuss the proposed pay plan. <u>Hospital Board</u> - will be executing an agreement for an alternate bid for the remodeling work that needs to be done to incorporate the services provided by mobile units into the remodeling. The visit with the City Council to go over the improvements at the hospital was appreciated. Affiliated Med is working with Heartland Foods to work out the details on industrial medicine collaboration. The hospital is continuing to work on its integration and the recruiting is going well. They again confirmed their commitment on supporting the City Council in making it more difficult for teenagers to utilize tobacco products.
Edblom	<u>Cable Commission</u> - held an informal meeting. <u>Ways and Means and Legislative and Ordinance</u> - met to study the fee structure and other items in regard to Sunday Liquor.
Boedigheimer	<u>Airport</u> - there was a lack of quorum so they had an information meeting. A suggestion was made to either increase the number of members to the board or decrease to an odd number or to add the possibility of the Councilmember liaison being a voting member to this board. <u>Senior Citizen Commission</u> -

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discuss the budget and did discuss the City taking ownership of the equipment for the mealsite area. No decision was made. This was tabled to a later date. Lyon County Enterprise Development - held a meeting on December 5, 1996 and the joint LEC needs to set a date for a meeting.

Doyle

Housing Commission - minutes are included with the agenda packet.

Rowe

Insurance Advisory Commission - is looking for some assistance in how to resolve the conflict of interest with members on this committee. Library Board - is looking at alternatives to compensate for the amounts that were not approved for their 1997 budget. They are also concerned with the vacancies that they have on their board.

Other items of concern brought forth by the Mayor and Councilmembers included: an expression of appreciation to Keith Nelson, City Engineer/Director of Public Works, for the Public Works status report that he provided to the City Council; the letter the City received for the Pedestrian Safety Award was acknowledged and the significance of this was expressed especially as it relates to the recent incident involving a school crossing guard; questions were raised in regard to the City of Marshall's snow removal policy and the availability of a schedule as to the order in which streets are cleaned; the Housing Commission is reviewing insurance bids and a concern was expressed of the possibility of the City's Insurance Advisory Commission reviewing their insurance as well; the desire for the representatives from the Utilities and from the City Council to meet at least twice a year to discuss similar activities which are going on in the two operations and to just improve communications was addressed; the recycling in parks was again brought up as a concern; the status of the agreement between the City and Southwest State University for the parking on State Street and O'Connell Street was addressed, at this time there is not agreement in place, it was suggested that Mr. Murphy contact Lynne Cupkie from SSU to work out the details of this agreement; the Street Department personnel were complimented for their hard work that they have been doing in moving snow during the number of storms we have had; the possibility of an updated employee directory was addressed; a suggestion was made to publicize a map of the City snow removal process; January 17 and 18 were the dates suggested for a retreat for City staff and Councilmembers, Councilmembers Rowe and Stores were asked to formulate an agenda.

Edblom moved, Doyle seconded, and it was unanimously approved that the following bills be authorized for payment and also included in these bills was the payment to Pipestone Concrete for Project Number 1996-002 in the amount of \$128,933.46. ACCOUNTS PAYABLE VOUCHER # 68712 through 68901. All voted in favor of the motion.

The following building permit, previously approved by the building official was confirmed:
 Larry Boll/Palace Video
 301 West Main Street
 Partition Construction
 \$2,000

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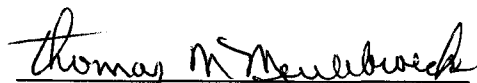
A concern was expressed at this time in regard to the new pickup that was purchased by the Street Department Superintendent and he not being able to get around very effectively during the recent snow storms.

Upon motion made by Doyle, seconded by Stores, the meeting was adjourned. All voted aye.



Mayor of the City of Marshall, Minnesota

ATTEST:



Finance Director/City Clerk