

REGULAR MEETING – JANUARY 4, 1999

The regular meeting of the Common Council of the City of Marshall was held on January 4, 1999 in the City Council Chambers of the Marshall Municipal Building. The meeting was called to order at 7:30 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Stores, Boedigheimer, Reynolds, Edblom and Doyle. Absent: Rowe. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney, Keith Nelson, Director of Public Works/City Engineer; Thomas M. Meulebroeck, Finance Director/City Clerk; and Jare DeVries, Deputy City Clerk.

The Pledge of Allegiance was recited at this time.

APPROVAL OF THE AGENDA:

It was the general consensus of the council that the agenda be approved with the addition of item 11a and 19a. Item 11a is to consider authorization to advertise for bids for a pickup truck for the Parks Department and Item 19a is the request to consider a farm lease with Gary Deutz.

APPROVAL OF THE MINUTES:

It was the general consensus of the council that the minutes of the regular meeting held on December 21, 1998 be approved as corrected and as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

WORKERS COMPENSATION INSURANCE ELECTED AND APPOINTED OFFICIALS:

Doyle moved, Stores seconded, the adoption of ORDINANCE NUMBER 408, SECOND SERIES and that the reading of the same be waived. Ordinance Number 408, Second Series is an ordinance amending certain sections of the City Code regarding the providing of workers' compensation insurance for elected and appointed officials within the City of Marshall. All voted in favor of the motion.

UPDATE ON LIBRARY:

Mr. Richard MacDonald was in attendance at the meeting and provided a brief review of the activities during the past year and of the plans for the new year. Mr. MacDonald advised the City Council of the four strategic objectives of the Marshall Lyon County Library. The objectives were:

- 1) To improve service to the existing customers.
- 2) To acquire new customers by identifying and reaching out to underserved demographic groups.
- 3) To identify and articulate the important role for the Marshall Lyon County Library to play in our local, regional, and state-wide community.
- 4) To achieve an operational excellence based on responsible fiscal management in an employee-friendly atmosphere.

CONTRACT SW AND W CENTRAL SERVICE COOPERATIVES:

Stores moved, Doyle seconded, the proper city personnel be authorized to enter into an agreement with Southwest and West Central Service Cooperatives for networking services for the period January 1, 1999 to December 31, 1999 at a fee of \$9,000 for 16 service hours per month. For additional hours the fee shall be \$46.88/hour. This contract is to be paid on a quarterly basis. All voted in favor of the motion.

REGULAR MEETING – JANUARY 4, 1999

AGREEMENT WESCAP AND SENIOR CITIZENS COMMISSION:

Boedigheimer moved, Reynolds seconded, the proper city personnel be authorized to enter into a Memorandum of Agreement between Senior Nutrition Services, Western Community Action and Senior Citizens Commission, City of Marshall for the period January 1, 1999 through December 31, 1999. This agreement provides for an increase from 4 cents to 6 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.

PROJECT 1999-001 – REPORT ON IMPROVEMENT:

Boedigheimer moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2088, SECOND SERIES and that the reading of the same be waived. Resolution Number 2088, Second Series is a resolution ordering the preparation of report on improvement for Project No. 1999-001, North 6th Street Reconstruction Project. All voted in favor of the motion.

PROJECT 1999-002 – REPORT ON IMPROVEMENT:

Boedigheimer moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2089, SECOND SERIES and that the reading of the same be waived. Resolution Number 2089, Second Series is a resolution ordering the preparation of report on improvement for Project No. 1999-002, Jewett Street Reconstruction Project. It was requested that sidewalks on the east side of the street be a part of this project. All voted in favor of the motion.

AGREEMENT WITH MIDWEST CONTRACT, LLC:

Edblom moved, Doyle seconded, the proper city personnel be authorized to enter into an agreement with Midwest Contracting, LLC for the lease of a motorgrader. This lease is from December 4, 1998 to April 4, 1999 at a rate of \$1,800 per month and an hourly rate of \$65.00 per hour, which will be applied/credited toward the monthly charge of \$1,800. All voted in favor of the motion.

CHANGE ORDER – 1998-001, MINNESOTA STREET PROJECT:

Stores moved, Reynolds seconded, the approval of Change Order No. 1 for Project No. 1998-001, Minnesota Street Project. This change order provides for a reduction in the contract price of \$4,886.07. All voted in favor of the motion.

ADVERTISE FOR BIDS - PICKUP FOR WASTEWATER:

Discussion was held at this time on the request to advertise for bids for a new pickup for the Wastewater Treatment Facility. Their intent was to trade in the 1993 Ford Ranger, which has 60,000 miles on it. Councilmember Boedigheimer indicated that they should also consider the next two items at this time, which are the request to advertise for a car for Engineering and a pickup for the Parks Department. Boedigheimer moved, Stores seconded, that the request to advertise for these three vehicles be tabled for two weeks and that the proper city personnel review these requests and decide which vehicles would be traded in and which vehicles should be rotated to a different department. All voted in favor of the motion.

CALL FOR PUBLIC HEARING - TRANSFER CABLE TELEVISION FRANCHISE:

Edblom moved, Doyle seconded, that a public hearing be held at 7:30 P.M. on February 1, 1999 to consider the application to transfer the cable television franchise from Dakota Telecommunications, Inc. to McLeod USA, Inc. All voted in favor of the motion.

REGULAR MEETING – JANUARY 4, 1999**CALL FOR PUBLIC HEARING – TRANSFER ON-SALE LIQUOR LICENSE, GAMBLER:**

Stores moved, Edblom seconded, that a public hearing be held at 7:30 P.M. on January 19, 1999 to consider the transfer of a liquor license from the Gambler, Inc., DBA the Gambler to Percy Enterprises, Inc., DBA the Gambler. All voted in favor of the motion.

OFFICIAL NEWSPAPER:

Doyle moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2090, SECOND SERIES and that the reading of the same be waived. Resolution Number, 2090, Second Series is a resolution designating the Marshall Minnesota "Independent" as the Official Newspaper for the City of Marshall. All voted in favor of the motion.

OFFICIAL DEPOSITORIES:

Boedigheimer moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2091, SECOND SERIES and that the reading of the same be waived. Resolution Number 2091, Second Series is a resolution Appointing Official Depositories for City Funds for 1999. All voted in favor of the motion.

LAWFUL GAMBLING EXEMPTION – MUSTANG BOOSTER CLUB:

Stores moved, Reynolds 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 Exempt Permit –LG 220 and that the 30 day waiting period be waived for the Mustang Booster Club to be used at 1501 State Street, Marshall, Minnesota on Saturday, February 20, 1999. All voted in favor of the motion.

LICENSES 1999:

Boedigheimer moved, Edblom seconded, and it was unanimously approved that the following licenses be approved for 1999:

Off-Sale Non-Intoxicating Beer License at a fee of \$150 for LaMexicana and Tobacco Licenses at a fee of \$48 for LaMexicana and Wal-Mart.

APPOINTMENTS TO BOARDS:

Doyle moved, Boedigheimer seconded, and it was unanimously approved that Steve Linstrom and Stacy Ball each be re-appointed to the Library Board for a term to expire on December 31, 2001; that Art Olson be appointed to the Hospital Board for a term to expire on May 31, 2000 and that Bob Verkinderen be appointed to the Community Services Board for a term to expire on February 28, 1999, contingent upon approval of the Marshall School Board. All voted in favor of the motion.

MEETING DATES FOR 1999:

Stores moved, Edblom seconded, that the Council meetings that fall on holidays in 1999 be changed to the following Tuesday. These dates are as follows:

January 18, 1999 - Martin Luther King Jr. Day - January 19, 1999

February 15, 1999 – President's Day – February 16, 1999

July 5, 1999 – Independence Day – July 6, 1999

September 6, 1999 – Labor Day – September 7, 1999

REGULAR MEETING – JANUARY 4, 1999

FARM LEASE AGREEMENT:

Edblom moved, Stores seconded, that the proper City personnel be authorized to execute a farm lease agreement between the City of Marshall and Gary Deutz for the one year period 02-01-99 to 02-01-00, with the understanding that during this lease period the property may be used by the Army Corps of Engineers for construction of a flood levee project. All voted in favor of the motion

MAYOR AND COUNCIL REPORTS:

Reports by the Mayor and Councilmembers of the various committees, commissions and boards were as follows:

Byrnes EDA, Fire Relief Association and Regional Development Commission have not met.

Stores Community Services Board will meet next Wednesday.

Edblom Cable Commission and Planning Commission will meet next week; Utilities Commission will meet in two weeks; Ways and Means Committee does not need to meet; Personnel Committee needs to schedule a meeting.

Boedigheimer Airport Commission and Senior Citizen Center Commission minutes are included in the agenda packet; Lyon County Enterprise Development Committee have hired a new facilitator to start January 11, 1999 and their next meeting is scheduled for January 25, 1999; Jt LEC and Public Improvement/Transportation Committee have not met.

Doyle Housing Commission and Convention and Visitors Bureau meet within the next 2 weeks and the Human Rights Commission does not meet until the end of the month.

Reynolds Hospital Board meets on January 19, 1999

COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Councilmembers included: the Street Department did a good job of removing the snow after the last storm; the council sympathy was expressed in regard to the recent accident; the Ways and Means Committee needs to meet and discuss WWMC making payments to the City of Marshall in lieu of taxes; there is a Labor Relation Conference on Thursday, January 28, 1999, in Minnetonka; and the snow removal policy in regard to removing snow on the cul-du-sacs worked well.

BILLS/PROJECT PAYMENTS:

Edblom moved, Doyle seconded, and it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE, Voucher no. 18147 through 18326.

REGULAR MEETING – JANUARY 4, 1999

BUILDING PERMITS:

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

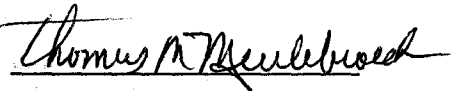
Trevor Hanson	1220 East College Drive	Remodel Retail Store	\$8,500
Hiskin Construction & Handiman Service	609 West Marshall Street	Reroof Dwelling	\$7,700
Ron Schultz	309 North High Street	Interior Remodel	\$2,400
Merle & Linda Karjala	207 DeSchepper Street	Install Fireplace and Window	\$5,300
Greig & Gregerson	309 Rainbow Drive	Garage Repair	\$1,800
Greig & Gregerson	127 North 3rd Street	Interior Remodel	\$10,000
J.F. Taylor & Sons	105 South First Street	Replace Windows	\$2,000

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



Mayor of the City of Marshall

ATTEST:



City Clerk

REGULAR MEETING – JANUARY 19, 1999

The regular meeting of the Common Council of the City of Marshall was held on January 19, 1999 in the City Council Chambers of the Marshall Municipal Building. The meeting was called to order at 7:30 P.M. by President Pro-Tem Stores. In addition to Stores the following members were present: Doyle, Rowe, Edblom, and Reynolds. Absent: Byrnes and Boedigheimer. Staff present included: Michael Johnson, City Administrator; Keith Nelson, Director of Public Works/City Engineer; Thomas M. Meulebroeck, Finance Director/City Clerk; Calvin Barnett, City Assessor; Rob Yant, Director of Public Safety; and Bob VanMoer, Wastewater Superintendent.

The Pledge of Allegiance was recited at this time.

APPROVAL OF THE AGENDA:

It was the general consensus of the council that the agenda be approved with item number 15 which is the consideration of an on-sale intoxicating liquor license for Sunday for Percy Enterprises Inc., DBA The Gambler being moved to 3a and with the addition of item number 16a which is the consideration of an application for a plumbers license for Rick Parker DBA Parker Plumbing and Heating Inc.

APPROVAL OF THE MINUTES:

Doyle moved, Edblom seconded, that the minutes of the regular meeting held on January 4, 1999 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

AWARD OF BIDS:

Bids were received, opened and read on January 11, 1999 for two "police-type" vehicles. The bids received, opened and read were as follows:

	Anton Chevrolet Marshall, Minnesota	Marshall Ford Marshall, Minnesota
Base Proposal A	(2) 1999 2WD Tahoes (2) 1997 Trade-ins \$54,181.24 -4,250.00 <u>-4,000.00</u> \$45,931.24	(2) Crown Victorias (2) 1997 Trade-ins \$41,660.00 -4,250.00 <u>-4,000.00</u> \$33,410.00
Base Proposal B	(2) 1999 2WD Tahoes \$54,181.24	(2) Crown Victorias \$41,660.00
Base Proposal C	(1) 1999 2WD Tahoe (1) 1997 Trade-in \$27,090.62 <u>-4,000.00</u> \$23,090.62	(1) Crown Victoria (1) 1997 Trade-in \$20,830.00 <u>-4,000.00</u> \$16,830.00

REGULAR MEETING – JANUARY 19, 1999

Anton Chevrolet
Marshall, Minnesota

Marshall Ford
Marshall, Minnesota

Base Proposal D

(1) 1999 2WD Tahoe
\$27,090.62

(1) Crown Victoria
\$20,830.00

Upon the recommendation of Rob Yant, Director of Public Safety, Rowe moved, Doyle seconded, that Anton Chevrolet, Marshall, Minnesota be awarded the bid for a 1999 2WD Tahoe in the amount of \$27,090.62 and Marshall Ford, Marshall, Minnesota be awarded the bid for a Crown Victoria in the amount of \$20,830.00 less trade-in of \$4,000.00 for a net bid of \$16,830.00. All voted in favor of the motion.

PUBLIC HEARING TRANSFER LIQUOR LICENSE:

This was the date and time set for a public hearing on the transfer of an on-sale liquor license from The Gambler, Inc., DBA The Gambler to Percy Enterprises, Inc., DBA The Gambler. There were no objections or concerns, therefore Edblom moved, Rowe seconded, the public hearing be closed. All voted in favor of the motion.

Edblom moved, Doyle seconded, the approval of the transfer of the on-sale liquor license from The Gambler, Inc., DBA The Gambler to Percy Enterprises, Inc., DBA The Gambler. All voted in favor of the motion.

SUNDAY LIQUOR LICENSE:

Rowe moved, Edblom seconded, the approval of a Sunday on-sale liquor license for Percy Enterprises, Inc., DBA The Gambler. This license will expire on December 31, 1999. All voted in favor of the motion.

AUTHORIZATION TO RECEIVE BIDS:

Rowe moved, Reynolds seconded, that the proper city personnel be authorized to advertise for bids for a pickup truck for the Park Maintenance Department. The bids received will include the trade-in of a 1993 Dodge ½ ton Pickup. All voted in favor of the motion.

Edblom moved, Doyle seconded, that the proper city personnel be authorized to advertise for bids for a pickup truck for the WWTP. The bids will include the trade-in of a 1993 Ford Ranger Pickup. All voted in favor of the motion.

Doyle moved, Reynolds seconded, that the proper city personnel be authorized to advertise for bids for a vehicle for the Engineer Department. The bids will include the trade-in of a 1989 Chevrolet Van. All voted in favor of the motion.

CONDITIONAL USE PERMIT:

Upon the recommendation of the Planning Commission, Rowe moved, Reynolds seconded, the approval of a five year renewal of a Conditional Use Permit for Jacqueline Ridlon, 1310 Horizon Drive, to operate a custom sewing business in an R-1 One Family Residence District. All voted in favor of the motion.

REZONE DANO ADDITION:

Edblom moved, Doyle seconded, the introduction of an ordinance amending Chapter 11 of the City Code relating to zoning and call for a public hearing. This ordinance would allow for Block 2, Lots 5, 6, 7 and the Westerly 10' of Lot 4, Dano Addition (1001-1005 Dano Circle) to be rezoned from R-2 One to Four Family Residence District to R-3 Low to Medium Density Multiple Family Residence District. The public hearing will be held at 7:30 P.M. on Monday, February 1, 1999. All voted in favor of the motion.

PRELIMINARY PLAT LYON COUNTY COOP ADDITION:

Upon the recommendation the Planning Commission, Rowe moved, Reynolds seconded, the introduction of the Preliminary Plat of Lyon County Co-op Addition. It was indicated that the owner should proceed with a soils report. The public hearing was set for 7:30 P.M. on Monday, February 1, 1999. All voted in favor of the motion.

FINAL PLAT VIKING ADDITION 10:

Edblom moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2092, SECOND SERIES and that the reading of the same be waived. Resolution Number 2092, Second Series is a resolution approving the Final Plat of Viking Addition – Plat 10. All voted in favor of the motion.

LEGISLATIVE ASSOCIATES INC.:

Ed Cain, representative Legislative Associates, Inc., was in attendance at the meeting to review the Memorandum of Understanding: Extension of Work Agreement between the City of Marshall and Legislative Associates Inc., for the period January 1, 1999 through December 31, 1999. Mr. Cain briefly reviewed the flood project for the City of Marshall and the Emergency Response Training Center Project. Mr. Cain indicated if the City of Marshall wanted LAI to represent them on the ERTC Project the agreement would need to be increased \$450 for the tenure of the agreement. Rowe moved, Doyle seconded, that the proper city personnel be authorized to execute an agreement with Legislative Associates Inc., and that it include the additional \$450 for LAI to represent them on the ERTC Project and if necessary the funds for this agreement will be taken from the 429 account. All voted in favor of the motion.

ULTRAVIOLET DISINFECTION EQUIPMENT WWTP:

Upon the recommendation of Bob VanMoer, Wastewater Superintendent, Rowe moved, Reynolds seconded, the proper city personnel be authorized to purchase Ultraviolet Disinfecting Equipment for the Wastewater Treatment Facility from Elsag-Bailey. This piece of equipment was damaged in a fire on September 19, 1998. The \$25,000 deductible will be paid from the WWTP equipment repair and maintenance budget and the City's insurance will pay for the balance. All voted in favor of the motion.

DECERTIFICATION OF TAX INCREMENT FINANCE DISTRICTS 1-3 AND 1-9:

Rowe moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2093, SECOND SERIES and that the reading of the same be waived. Resolution Number 2093, Second Series is a resolution Relating to the Request by the City of Marshall for Decertification of Tax Increment Financing District 1-3 (Independence Park Housing District), located within Redevelopment Project No. 1 of the Housing and Redevelopment Authority in and for the City of Marshall. All voted in favor of the motion.

REGULAR MEETING – JANUARY 19, 1999

Edblom moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2094, SECOND SERIES and that the reading of the same be waived. Resolution Number 2094, Second Series is a resolution Relating to the Request by the City of Marshall for Decertification of Tax Increment Financing District 1-9 (Reinhart/Lake Beverage District), located within Redevelopment Project No. 1 of the Housing and Redevelopment Authority in and for the City of Marshall. All voted in favor of the motion.

JOINT POWERS AGREEMENT ECSU:

Rowe moved, Edblom seconded, the proper city personnel be authorized to enter into a Joint Powers Agreement for Group Employee Benefits with the Southwest and West Central Educational Cooperative Service Units Member City and Other Government Unit Insurance Program. All voted in favor of the motion.

PURCHASE REAL ESTATE:

Reynolds moved, Edblom seconded, the proper city personnel be authorized to enter into Real Estate Purchase Agreements to purchase property within the Flood Control Project Area with Forbes Farms, Inc., in the amount of \$7,000; Klein Development Co., Inc., in the amount of \$26,600; Klein Addition Homeowner Association in the amount of \$6,000; and with John and Wilma Lanners in the amount of \$25,900. All voted in favor of the motion.

ORDINANCE CHANGE – MINI STORAGE:

Upon the recommendation of the Planning Commission, Rowe moved, Edblom seconded, that the request for a “mini-storage” to be allowed as a conditional use within the B-3 District and as a permitted use in the I-1 Limited Industry District be referred to the Legislative and Ordinance Committee for review. All voted in favor of the motion.

PLUMBERS LICENSE:

Edblom moved, Reynolds seconded, the approval of a plumbers license for Rick Parker DBA Parker Plumbing & Heating, Inc., at a fee of \$50.00. This license will expire on March 31, 1999. All voted in favor of the motion.

MAYOR AND COUNCIL REPORTS:

Reports by the Mayor and Councilmembers of the various committees, commissions and boards were as follows:

Stores Community Services Board will hold their annual tour on the first Wednesday in February.

Edblom Cable Commission met last week and requested Teri McCausland to prepare a proposal for improvements to the Council Chambers to videotape the meetings; Planning Commission met last week; Utilities Commission met tonight; Ways and Means Committee and Personnel Committee need to meet soon.

Doyle Housing Commission met this past Monday and the minutes are included in the agenda packet; Human Rights Commission will meet next Monday; Convention and Visitors Bureau and the Transit Committee will meet on Wednesday.

REGULAR MEETING – JANUARY 19, 1999

Rowe Insurance Advisory Committee no report; Library Board met last week and indicated that there will be a romance novels book sale on February 13, 1999; Legislative and Ordinance Committee needs to meet; ERIT will meet next Monday.

Reynolds Hospital Board met earlier this evening and reviewed the auditors report.

COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Councilmembers included: Mayor Byrnes mother passed away; former Councilmember Gene Roggeman had a heart attack last Saturday; a concern with public hearings being held before ordinances are introduced; clothing with the City of Marshall Logo is available for purchase from Gene's Sporting Goods; that there will be a quarterly employee meeting next Tuesday, January 26, 1999 and Friday, January 22, 1999 is the employee recognition/award party.

PENDING AGENDA ITEMS:

The draft code of the Recodification of City Ordinances should be here soon.

BILLS/PROJECT PAYMENTS:

Edblom moved, Doyle seconded, and it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 18327 through 18452 and also a payment in the amount of \$21,767.87 for R & G Construction.

BUILDING PERMITS:

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

Paxton Signs, Inc.	1420 East College Drive	Install Sign	\$2,500
Bladholm Construction, Inc.	600 North Bruce Street	Door Remodeling	\$12,000
Darwin Madden	200 Jewett Street	Remodel Shop	\$1,000
Todd & Pauline Vogl	503 Lawrence Street	Basement Remodel	\$1,000
Dulas Construction	201 East Saratoga Street	Partition Walls	\$3,000

It was indicated that the compliance check has been completed on the business places that hold tobacco licenses.

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

Maurice Stores

President Pro-Tem

ATTEST:

Thomas M. Muehlebach

Financial Director/City Clerk

The regular meeting of the Common Council of the City of Marshall was held on February 1, 1999 in the City Council Chambers of the Marshall Municipal Building. The meeting was called to order at 7:30 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Doyle, Rowe, Edblom, Reynolds and Boedigheimer. Absent: Stores. Staff present included: Michael Johnson, City Administrator; Keith Nelson, Director of Public Works/City Engineer; Harry Weilage, Director of Community Services; Jane DeVries; Deputy City Clerk; and Dennis Simpson, Assistant City Attorney.

The Pledge of Allegiance was recited at this time.

APPROVAL OF THE AGENDA:

It was the general consensus of the council that the agenda be approved with the addition of item number 9a which is the consideration of a resolution of construction project cooperation.

At this time the members of Boy Scout Troop 320 were introduced.

APPROVAL OF MINUTES:

Rowe moved, Doyle seconded, that the minutes of the regular meeting held on January 19, 1999 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

PUBLIC HEARING – CABLE TV FRANCHISE:

This was the date and time set for a public hearing to consider the transfer of Cable Television Franchise to McLeod USA, Inc. Mr. Brian Grogan from Moss & Barnett reviewed with the council and others in attendance at the meeting the transfer of the cable television franchise currently held by Dakota Telecom, Inc. Mr. Grogan indicated that DTG and McLeod USA Inc., have met all the requirements and criteria for this transfer. It was indicated that this transfer to McLeod USA, Inc., does not have any affect on the plans made by DTG for Marshall. Doyle moved, Rowe seconded, the public hearing be closed. All voted in favor of the motion.

Rowe moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2095, SECOND SERIES and that the reading of the same be waived. Resolution Number 2095, Second Series is a resolution Approving the Transfer of Control of Dakota Telecom, Inc., to McLeod USA. All voted in favor of the motion.

PUBLIC HEARING – REZONE DANO ADDITION:

This was the date and time set for a public hearing to consider the rezoning of Block 2, Lots 5,6,7, and the Westerly 10' of Lot 10 Dano Addition (1001-1005 Dano Circle) from R-2 One to Four Family Residence District to R-3 Low to Medium Density Multiple Family Residence District. Keith Nelson, Director of Public Works/City Engineer reviewed with the council and others in attendance at the meeting the proposed request. He indicated that the intent is to build two 8-plex units on this area of land but that there is a concern with the parking issue. Councilperson Boedigheimer asked if these 8-plexes could be built with a conditional use permit and not rezoned. Mr. Nelson indicated that this area has to be rezoned if 8-plexes are to be constructed here. Tom Serie, F & L Development, was in attendance at the meeting. He indicated that all of the current owners in this area are in favor of the two 8-plexes. He indicated that the proposal is for 10 additional parking stalls. Mr. Nelson recommended that there be no parking on the street and Mr. Serie did not have any objection to this. Lori Hoogheem, 1001 Boxelder, indicated that they own the 4-plex at this address

REGULAR MEETING – FEBRUARY 1, 1999

and that they currently live in one of the units. She indicated that they also own the lot behind this 4-plex and plan on building a 3-plex there and have no objection to the proposed 8-plexes. Yvonne Kumero owns the 3-plex across from the proposed 8-plexes and has no objection. Frank Schultz owns a 4-plex on Hudson which is behind the proposed 8-plexes and does not see any problem with two 8-plexes being built there. Mike Johnson, City Administrator, indicated that the proposed parking issue was not discussed at the Planning Commission meeting. Rowe moved, Edblom seconded, that the public hearing be closed. All voted in favor of the motion.

Rowe asked if a 3-plex could be added at a later date. Mr. Nelson indicated that it was not physically possible. Mr. Serie indicated that extra blacktop will be necessary to provide for the parking spaces, therefore there will not be 20% green space. Edblom was concerned about the holding pond. Mr. Serie indicated that in 1993 the holding area was full and that since that time the sides have been raised 3' and there has not been a problem. Boedigheimer moved, Byrnes seconded, the adoption of ORDINANCE NUMBER 409, SECOND SERIES and that the reading of the same be waived. Ordinance Number 409, Second Series is an ordinance Amending Chapter 11 of the City Code Relating to Zoning. This ordinance rezones Lots 5, 6, 7 and the Westerly 10' of Lot 4, Block 2, Dano Addition (1001-1005 Dano Circle) from R-2 One to Four Family Residence District to R-3 Low to Medium Density Multiple Family Residence District. Councilperson Rowe was concerned with the parking issue and therefore not in favor of this motion. Voting in favor were Boedigheimer, Byrnes, Edblom and Doyle. Voting no were: Rowe and Reynolds.

Boedigheimer moved, Reynolds seconded, that the issue of no off street parking on Dano Circle be referred to the Transportation Committee. Gregg Taylor requested that no action be taken on the issue of no off street parking at this time. He felt that they should wait and see if there is a problem with off street parking after the two 8-plexes are constructed. All voted in favor of the motion.

PUBLIC HEARING – PRELIMINARY PLAT LYON COUNTY COOP:

This was the date and time set for a public hearing on the Preliminary Plat of Lyon County Coop Addition. Keith Nelson, Director of Public Works/City Engineer recommends approval of the preliminary plat with the receipt of the proper soils report. Merle Lyons, Manager Lyon County Coop, indicated that they intend to keep one lot and sell one lot and that the buyer is aware of the fill in this area. Councilperson Boedigheimer was concerned with the street being a city street and was not in favor of this without the soil testing being completed first. Rowe felt that the city should be concerned with soil borings if this is a public roadway. Mr. Nelson indicated that he would recommend approval of the preliminary plat if only the area of the road had soil borings done. Bob Tholen indicated that he has not asked the city to be responsible for the street and that he has lived here for 67 years and he knows this area. Mr. Tholen indicated that he was not interested in buying this property if the soil borings are required for the preliminary plat and he also requested time with the council to discuss the building officials. Boedigheimer indicated that if there is not a city street he has no problems with the soil boring issue. Mr. Tholen indicated that he has not requested this to be a city street. City Administrator Mike Johnson asked if there would be an easement for utilities or if this would be private. Boedigheimer asked if the street were private could the city be forced to accept at a later date. It was indicated that the street needs to be dedicated as a right-of-way. Rowe moved, Doyle seconded, that the public hearing be closed. All voted in favor of the motion.

Rowe moved, Doyle seconded, the approval of the preliminary plat for Lyon County Coop Addition with the conditions approved by the Planning Commission, which does not require soils

REGULAR MEETING – FEBRUARY 1, 1999

boring testing. Voting in favor of the motion were: Rowe, Doyle and Byrnes. Voting no were: Edblom, Reynolds and Boedigheimer. The motion failed.

Boedigheimer moved, Reynolds seconded, the approval of the preliminary plat for Lyon County Coop Addition with soil boring tests being done on the city right-of-way area and with the conditions as approved by the Planning Commission. All voted in favor of the motion, except Edblom who voted no.

A 5-minute recess was called at 9:15 P.M.

OUT OF STATE TRAVEL:

Reynolds moved, Doyle seconded, out of state travel be approved for Barb Lipinski, Area Senior Center Coordinator, to attend the NCOA (National Council on Aging) in San Diego, CA on April 15-19, 1999. All voted in favor of the motion.

LOCAL BOARD OF REVIEW DATE:

Edblom moved, Reynolds seconded, 6:00 P.M. on April 19, 1999 be the time and date set for the Local Board of Review to meet. All voted in favor of the motion.

FEASIBILITY REPORT PROJECT 1999-002:

Edblom moved, Rowe seconded, the adoption of RESOLUTION NUMBER 2096, SECOND SERIES and that the reading of the same be waived. Resolution Number 2096, Second Series is a resolution receiving the Report and calling for a Hearing for Project 1999-002, Jewett Street Project. The public hearing was scheduled for 7:30 P.M. on February 16, 1999. All voted in favor of the motion.

ORDINANCE – MINI-STORAGE:

Rowe moved, Doyle seconded, the introduction of an ordinance to allow mini-storage in a B-3 General Business District as a conditional use permit, and as a permitted use in the I-1 Limited Industrial District. Councilperson Boedigheimer was concerned about cars being stored in these units. All voted in favor of the motion.

ORDINANCE – SIGNAGE:

Rowe moved, Edblom seconded, the introduction of an ordinance to permit additional sign area for businesses in the Downtown District that have an alley frontage. All voted in favor of the motion.

CONSTRUCTION PROJECT COOPERATION:

Doyle moved, Edblom seconded, the adoption of RESOLUITON NUMBER 2097, SECOND SERIES and that the reading of the same be waived. Resolution Number 2097, Second Series is a resolution of Construction Project Cooperation. This resolution allows for the installation of a traffic signal at the intersection of T.H. 59 and "C" Street/Lyon Street. All voted in favor of the motion.

MAYOR AND COUNCIL REPORTS:

Reports by the Mayor and Councilmembers of the various committees, commissions and boards were as follows:

Byrnes No report.

REGULAR MEETING – FEBRUARY 1, 1999

- Edblom Cable Commission and Planning Commission will met next week; Utilities Commission will met in two weeks; and the Personnel Committee will met on Wednesday, February 3, 1999.
- Boedigheimer Airport Commission meeting was cancelled; Senior Citizen Center Commission met but was unable to attend; Lyon County Enterprise Development meeting was cancelled.
- Doyle Housing Commission has not met; Human Rights Commission met last Monday but they have trouble getting a quorum; Y2K held its first meeting – Ed Wacha is coordinator for this committee.
- Rowe Insurance Advisory Committee has not met; Library Board will met next week; Legislative and Ordinance Committee minutes are included in the agenda packet – the costs involved with the tobacco ordinance compliance check was discussed; MERIT discussed the current proposed design.
- Reynolds: Hospital Board will meet on February 16, 1999.

COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Councilmembers included: the Club 59 property would be an excellent addition to the City of Marshall – City staff to proceed with this; the City Engineer and Building Inspectors do an excellent job for the City; at the quarterly employee meeting it was indicated that Mr. Johnson would have his head shaved if the goal of \$3,000 for the United Way was met; the pay plan and insurance benefits being paid under BC/BS were discussed; the quality of the picture and sound of the council meetings has improved due to the use of a new camera; the tobacco compliance checks were discussed and they should not be using Marshall residents. Boedigheimer moved, Byrnes seconded, that all the costs associated with the Tahoe and Crown Victoria that the police department currently has and the new Tahoe and Crown Victoria that they recently purchased, be tracked by vehicle. All voted in favor of the motion. It was also indicated that WCA is to be tracking theses costs on their vehicles. City Engineer Keith Nelson is to make sure the house being constructed on County Road 7 is in compliance. The insurance advisory committee needs to consider Y2K Insurance; Byrnes asked the Personnel Committee consider a sick leave bank lending policy; the Planning Commission needs to review zoning issues for large developments.

BILLS/PROJECT PAYMENTS:

Edblom moved, Rowe seconded, an it was unanimously approved that the following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 18453 through 18657.

BUILDING PERMITS:

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

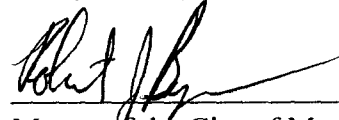
Tina Powelson	405 Williams Street	Reside Dwelling, Replace Windows	\$12,700
Weiner Memorial Medical	300 South Bruce Street	Hospital Remodeling --	\$943,600

REGULAR MEETING -- FEBRUARY 1, 1999

Center		Phase III	
Geske Building & Supply Co.	404 Charles Avenue	Reside Dwelling	\$7,000
Greg Taylor	105 South 1st Street	Remodel Apartment	\$12,000
Paxton Signs, Inc.	1710-1740 East College Drive	Signs	\$5,000
Ace Sign	1608 East College Drive	Sign Installation	\$2,100
Jeff Nielsen	623 Donita Avenue	Basement Remodel	\$500
Bladholm Construction, Inc.	1600 Hahn Road	Office Building Addition	\$55,000

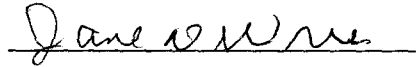
City Administrator Mike Johnson indicated that Rob Yant is currently out of the office; Keith Nelson will be out of the office all next week; and Brian Murphy will be having by-pass surgery this week. They wished all of the them well.

Upon motion by Doyle, seconded by Edblom, the meeting was adjourned. All voted in favor of the motion.



Mayor of the City of Marshall

ATTEST:



Deputy City Clerk

The regular meeting of the Common Council of the City of Marshall was held on February 16, 1999 in the City Council Chambers of the Marshall Municipal Building. The meeting was called to order at 7:30 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Rowe, Doyle, Edblom, Reynolds, Boedigheimer and Stores. Absent: none. Staff present included: Michael Johnson, City Administrator; Keith Nelson, Director of Public Works/City Engineer; Thomas Meulebroeck, Financial Director/City Clerk; Kim Jergensen, Senior Engineering Technician; Pat Leary, Assistant City Attorney; Mike Leese, Sergeant and Jane DeVries, Deputy City Clerk.

The Pledge of Allegiance was recited at this time.

APPROVAL OF THE AGENDA:

It was the general consensus of the council that the agenda be approved with item number 15, the consideration of an estate purchase/sale agreement being changed from John and Wilma Lanners to Lanners Brothers Construction Co.

APPROVAL OF THE MINUTES:

Rowe moved, Doyle moved seconded, that the minutes of the regular meeting held on February 1, 1999 be approved as corrected and as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

AWARD OF BIDS:

Bids were received, opened and read on February 5, 1999 for pickup trucks for Wastewater Treatment Facility Plant and Park Maintenance Department. Bids received, opened and read were as follows:

Anton Chevrolet
Marshall, Minnesota
\$28,098.96

Marshall Ford
Marshall, Minnesota
\$27,195.84

Lockwood Motors
Marshall, Minnesota
\$24,506.62

Tholen Auto Sales
Marshall, Minnesota
\$27,799.15

All of the bids included the trade-in of two pickup trucks. Doyle moved, Stores seconded, the bid for the two pickup trucks for the Wastewater Treatment Facility Plant and Park Maintenance Department be awarded to Lockwood Motors, Marshall, Minnesota in the amount of \$24,506.62 with the trade-in of the 1993 Ford Ranger from the Wastewater Treatment Facility and the 1993 Dodge ½ ton from the Park Maintenance Department. All voted in favor of the motion.

PUBLIC HEARING – 1999-002:

This was the date and time set for a public hearing on Project No. 1999-002 – Jewett Street Reconstruction. Keith Nelson, Director of Public Works/City Engineer, reviewed this project with the council and others in attendance at the meeting. He indicated that sidewalk would be installed on the East Side if there was enough room and that this would be a city expense. Store moved, Rowe seconded, the public hearing be closed. All voted in favor of the motion.

Edblom moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2098, SECOND SERIES and that the reading of the same be waived. Resolution Number 2098, Second Series is a

REGULAR MEETING – FEBRUARY 16, 1999

resolution ordering the improvement and preparation of plans for Jewett Street Reconstruction Project No. 1999-002. All voted in favor of the motion.

MINI-STORAGE ORDINANCE:

Boedigheimer moved, Edblom seconded, the adoption of ORDINANCE NUMBER 410, SECOND SERIES and that the reading of the same be waived. Ordinance Number 410, Second Series is an ordinance Amending Chapter 11 of the Marshall, Minnesota City Code to Allow Self-Storage Warehouse use in B-3 General Business District of a Conditional Use, and as a Permitted use in the I-1 Limited Industrial District. All voted in favor of the motion.

SIGNAGE IN THE DOWNTOWN DISTRICT ORDINANCE:

Rowe moved, Stores seconded, the adoption of ORDINANCE NUMBER 411, SECOND SERIES and that the reading of the same be waived. Ordinance Number 411, Second Series is an ordinance Amending Chapter 11 of the Marshall, Minnesota City Code to Permit Additional Sign Area for Businesses in the Downtown District. This ordinance allows for downtown business that have a public alley frontage to increase their total signage area up to an additional 50%. All voted in favor of the motion.

PRELIMINARY PLAT – MARSHALL INDUSTRIAL PARK THIRD ADDITION:

Rowe moved, Doyle seconded, that the preliminary plat for the Marshall Industrial Park Third Addition be introduced and that there be a public hearing to consider the plat. The public hearing is to be held at 7:30 P.M. on Monday, March 1, 1999. All voted in favor of the motion.

PRELIMINARY PLAT – HY-VEE ADDITION:

Edblom moved, Reynolds seconded, that preliminary plat for the Hy-Vee Addition be introduced and that there be a public hearing to consider the plat. The public hearing is to be held at 7:30 P.M. on Monday, March 1, 1999. There was a concern about the number of entrances to this area off Main Street and Southview Drive. It was indicated that there will be two entrances off Southview Drive and one off of Main Street. All voted in favor of the motion.

REZONE PORTION HY-VEE ADDITION:

Doyle moved, Stores seconded, that an ordinance be introduced Amending Chapter 11 of the City Code Relating to Zoning and that there be a public hearing to consider the ordinance. This ordinance would rezone part of the proposed Hy-Vee Addition, Block 1, Lot 1, from I-1 Limited Industry District to B-3 General Business District. The public hearing is scheduled for 7:30 P.M. on Monday, March 1, 1999. All voted in favor of the motion.

OUTDOOR RECREATION GRANT PROPOSAL:

Stores moved, Edblom seconded, that a public hearing be scheduled for 7:30 P.M. on Monday, March 1, 1999 for the Outdoor Recreation Grant Proposal (LAWCON). This proposal is for the initial development of Whitney Park (Breyfogle/Taylor properties). All voted in favor of the motion.

PURCHASE VEHICLE – ENGINEERING DEPARTMENT:

Quotes were received for a 4-door sedan for the Engineering Department. The quotes received were as follows:

Marshall Ford
Marshall, Minnesota

Tholen Auto Sales
Marshall, Minnesota

REGULAR MEETING - FEBRUARY 16, 1999

1998 Ford Taurus, silver
Mileage 16,400
\$11,922.67

1998 Chevrolet Lumina
Mileage 16,300
\$12,700.12

Lockwood Motors
Marshall, Minnesota
1998 Dodge Stratus
Mileage 17,000
Does not meet minimum specifications
\$12,247.50

Anton Chevrolet
Marshall, Minnesota
1998 Chevrolet Lumina
Mileage 20,800
\$13,768.00

Lockwood Motors
Marshall, Minnesota
1997 Oldsmobile Cutlass Supreme
Mileage 28,000
\$12,354.00

Lockwood Motors
Marshall, Minnesota
1998 Buick Century
Mileage 25,000
\$13,845.00

Staff recommended the purchase of the 1998 Chevrolet Lumina from Tholen Auto in the amount of \$12,700.12. The staff indicated that this vehicle had a higher clearance than some of the others and felt that this would be a good choice. Boedigheimer did not feel that an additional \$800 was justified, therefore he moved, Edblom seconded, the purchase of the 1998 Ford Taurus from Marshall Ford, Marshall, Minnesota in the amount of \$11,922.67. This bid includes the trade-in of a 1989 Chevrolet Van. All voted in favor of the motion.

PURCHASE SNOW PLOW EQUIPMENT:

Quotes were received for snowplow equipment for the Street Department. Quotes received were as follows:

MacQueen Equipment	\$24,077.70
Little Falls Machine	\$24,042.38
Drake Equipment	\$22,831.47

Boedigheimer moved, Stores seconded, the purchase of the snow plow equipment including three reversible snow plows and three truck hitches from Drake Equipment of Sioux Falls, South Dakota in the amount of \$22,831.47. This is \$2,631.47 over budget, which will be taken out of the Street Department budget. All voted in favor of the motion.

CRIMINAL BACKGROUND ORDINANCE:

Boedigheimer moved, Edblom seconded, the introduction of an ordinance Amending Chapter 11 of the City Code to Add Provisions Providing for Criminal Background Checks. All voted in favor of the motion.

LABOR AGREEMENT AFSCME:

Stores moved, Edblom seconded, the proper city personnel be authorized to execute an agreement between the City of Marshall and the American Federation of State, County and Municipal Employees (AFSCME), Council No. 65. This agreement is effective January 1, 1999 and expires December 31, 2000. All voted in favor of the motion.

REGULAR MEETING – FEBRUARY 16, 1999

PARADE PERMIT ST. PATRICK'S DAY:

Stores moved, Doyle seconded, the approval of a parade permit for the Third Annual St. Patrick's Day parade on March 17, 1999 at 5:30 P.M. The designated parade route begins at Schwan's Corporate headquarters parking lot on Marvin Schwan Memorial Drive, turns onto Main Street at Casey's Corner and proceeds down Main Street to the corner of Main Street and 5th Street and disbands after turning the corner. All voted in favor of the motion.

REAL ESTATE PURCHASE/SALE AGREEMENTS:

Rowe moved, Stores seconded, the approval of a Real Estate Purchase Agreement between the City of Marshall and Keith and Gay Brockberg. This agreement provides for the purchase of Parcels A & B (1.32 acres) at a cost of \$20,000. All voted in favor of the motion.

Stores moved, Reynolds seconded, the approval of a Real Estate Sale Agreement between the City of Marshall and Lanners Brothers Construction Co. This agreement provides for the sale of Parcel A (1.0 acre) in the amount of \$17,500. All voted in favor the motion.

The City of Marshall will retain Parcel B (.32) acres for the Corps Project and the recreation trail.

GAMBLING BASEBALL ASSOCIATION:

Edblom moved, Rowe 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 Premises Permit Application for the Marshall Baseball Association to be used at the Gambler, 303 West Main Street, Marshall, Minnesota; Sam's Place Restaurant & Lounge, Inc., 236 West Main Street, Marshall, Minnesota; and Rumours of Marshall, Inc., 126 West Main Street, Marshall, Minnesota. The Council also waives any waiting period. All voted in favor of the motion.

MAYOR AND COUNCIL REPORTS:

Reports by the Mayor and Councilmembers of the various committees, commissions and boards were as follows:

- Byrnes EDA minutes are included in the agenda packet; Regional Development Commission met last Thursday – they discussed the Prairie Expo Project that will take place in Worthington.
- Edblom Cable Commission discussed the renewal process for the cable TV franchise; Planning Commission items were previously discussed at the council meeting; Utilities Commission were also meeting tonight; Ways and Means need to met soon; Personnel Committee will meet on February 24, 1999 – they will discuss the possibility of borrowing sick leave and the possibility of a Human Resource position being shared by the Utilities, City and County.
- Boedigheimer Airport Commission minutes are included in the agenda packet; Jt. LEC will meet on Friday.
- Doyle Housing Commission minutes are included in the agenda packet; Human Rights Commission and Convention and Visitors Bureau will meet next week.

REGULAR MEETING – FEBRUARY 16, 1999

Rowe Insurance Advisory Committee has not met; Library Board the new windows have been installed, the painting has been started and the carpet will be installed soon; MERIT will meet on Thursday.

Reynolds Hospital Board will meet on March 1, 1999.

COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Councilmembers included: Stores indicated that she watched the last meeting on Studio 8 and indicated that the picture quality and sound are much better; the downtown lights need to be included in the Transportation Study; the restriping of County Road 33 and Hwy 23 was discussed; the council was reminded of the United Way Challenge and to make their donation; the tobacco compliance check costs needs to be reviewed; the issue of a stop sign being installed on Bruce at the intersection with Boxelder and the parking issue on Boxelder needs to be reviewed; a date needs to be set for the retreat in March; it was suggested that when the Utilities bid a front end loader that they consider transferring the old one to the Wastewater Treatment Facility.

BILLS/PROJECTS PAYMENTS:

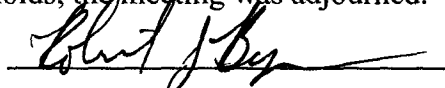
Edblom moved, Doyle seconded, and it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 18658 to 18887 and that it be noted that the check issued to Robinson Appraisal was for the McKigney property.

BUILDING PERMITS:

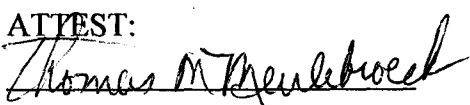
The following building permits previously approved by the Building Official were confirmed.

Paul & Barb Marron	802 North Bruce Street	Install Fireplace and Finish Basement	\$7,000
Richard Binnebose Construction	312 Legion Field Road	Remodel Bathroom	\$500
Sunrise Court Apartments	1310 Birch Street	Entry and Garage Roof Replacement and Partial Siding	\$30,000
Group II Architects, P.A.	104 West Redwood Street	Office Remodeling	\$700
City of Marshall	301 West Lyon Street	Replace Windows	\$5,500
Steven Baumann Construction	1001 Woodfern Drive	Finish Basement	\$4,000
Jeff Wenker	206 George Street	Finish Basement Walls	\$1,500

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


Mayor of the City of Marshall

ATTEST:


Financial Director/City Clerk

REGULAR MEETING – MARCH 1, 1999

The regular meeting of the Common Council of the City of Marshall was held on March 1, 1999 in the City Council Chambers of the Marshall Municipal Building. The meeting was called to order at 7:30 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Doyle, Rowe, Edblom, Reynolds, Boedigheimer and Stores. Absent: none. Staff present included: Dennis Simpson, Assistant City Attorney; Director of Public Works/City Engineer, Keith Nelson; Director of Public Safety, Rob Yant, Deputy City Clerk, Jane DeVries; and Director of Community Services, Harry Weilage.

The Pledge of Allegiance was recited at this time.

APPROVAL OF THE AGENDA:

It was the general consensus of the council that the agenda be approved with the addition of item number 13a which is the consideration of a resolution authorizing execution of an agreement with the Minnesota Department of Public Safety, Grant to Expand Local Capacity to Combat Gangs.

APPROVAL OF THE MINUTES:

Rowe moved, Reynolds seconded, that the minutes of the regular meeting held on February 16, 1999 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

PUBLIC HEARING – PRELIMINARY PLAT OF MARSHALL INDUSTRIAL PARK THIRD ADDITION:

This was the date and time set for a public hearing on the Preliminary Plat of Marshall Industrial Park Third Addition. Keith Nelson, Director of Public Works/City Engineer reviewed with the council and others in attendance the preliminary plat. There were no objections or concerns, therefore Doyle moved, Rowe seconded, the public hearing be closed. All voted in favor of the motion.

Doyle moved, Stores seconded, the approval of the Preliminary Plat of Marshall Industrial Park – Third Addition. All voted in favor of the motion.

PUBLIC HEARING – PRELIMINARY PLAT OF HY-VEE ADDITION:

This was the date and time set for a public hearing on the Preliminary Plat of Hy-Vee Addition. Keith Nelson, Director of Public Works/City Engineer reviewed with the council and others in attendance the preliminary plat. There was a concern with the preliminary plat in allowing an access onto Main Street so close to an intersection. It was indicated that representatives from Hy-Vee would be meeting with MN/DOT to discuss any access off Main Street. Rowe moved, Stores seconded, the public hearing be closed. All voted in favor of the motion.

Edblom moved, Doyle seconded, the Preliminary Plat of Hy-Vee Addition be approved. All voted in favor of the motion.

REQUEST TO REZONE HY-VEE ADDITION:

Rowe moved, Reynolds seconded, the request to rezone a portion of Hy-Vee addition is tabled until such time that the Final Plat of Hy-Vee Addition is approved. All voted in favor of the motion.

PUBLIC HEARING – OUTDOOR RECREATION GRANT PROPOSAL (LAWCON):

This was the date and time set for a public hearing on an Outdoor Recreation Grant Proposal (LAWCON). Director of Community Services, Harry Weilage indicated that the purpose of this grant is

REGULAR MEETING – MARCH 1, 1999

for the Taylor property to be used a public gathering park in downtown Marshall (Whitney Park). The intent is to write matching funds with the City of Marshall and TIF money with the purchase of the property - \$125,000 from grant dollars and \$125,000 from TIF Funds. This grant would provide for restrooms, shelter, lighting, fencing, pier, bank stabilization and possibly a bridge. Councilperson Boedigheimer wanted to know how this name (Whitney Park) was decided on – he felt that the community should be involved in the naming of a park. He also, was concerned why last year Liberty Park was demolished and now they want to build a new park. It was indicated that Liberty Park was hard to patrol and it was felt that this new park would be easier to patrol since there would be access to the park on all four sides. Mr. Jack Rehkamp asked if the grant were received if the grant provided for any limits. It was indicated that the City would be responsible to maintain this park for 20 years. It was also, indicated that this type of grant was used before and that this project ranks high because of the river improvements. Stores moved, Reynolds seconded, the public hearing be closed and that the proper city personnel be authorized to apply for the Outdoor Recreation Grant. All voted in favor of the motion.

Be it noted the arrival of Finance Director/City Clerk, Thomas Meulebroeck at 8:05 P.M.

ORDINANCE – CHAPTER 11 – CRIMINAL BACKGROUND CHECKS:

Rowe moved, Stores seconded, the adoption of ORDINANCE NUMBER 412, SECOND SERIES and that the reading of the same be waived. Ordinance Number 412, Second Series is an Ordinance Amending Chapter 11 of the City Code to add provisions providing for criminal background checks. The ordinance was amended to delete – and the processing fee is paid – from section b-1. This was deleted since volunteers for community policing programs may not be required to pay the fee. All voted in favor of the motion.

MN/DOT PARKING LOT OVERLAY AGREEMENT:

Edblom moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2099, SECOND SERIES and that the reading of the same be waived. Resolution Number 2099, Second Series is a resolution which provides Authorization to Execute Minnesota Department of Transportation Grant Agreement for Airport Improvement. All voted in favor of the motion.

AG-CHEM APPLICATION:

Edblom moved, Reynolds seconded, that the proper city personnel advertise through the League of Minnesota Cities the sale of the Wastewater Treatment Plant Ag-Chem applicator. If after 60 days this Ag-Chem applicator has not sold the proper city personnel would then be authorized to allow Ag-Chem of Minneapolis, Minnesota to consign the sale of this unit for a 15% fee. All voted in favor of the motion.

PROJECT CLOSEOUT – 1997-003:

Doyle moved, Stores seconded, the approval of the Change Order No. 2 which is an increase in the contract in the amount of \$6,531.54 and the final payment in the amount of \$16,190.90 to R & G Construction Co., for Project no. 1997-003 South 4th Street Project. All voted in favor of the motion.

Be it noted the arrival of City Administrator Michael Johnson at 8:17 P.M.

PROJECT CLOSEOUT – 1997-001:

Rowe moved, Doyle seconded, the approval of the Change Order No. 1 which is an increase in the contract in the amount of \$5,024.00 and the final payment in the amount of \$51,493.24 to R & G Construction Co., for Project no. 1997-001 Birch Street Project. All voted in favor of the motion.

REGULAR MEETING – MARCH 1, 1999

TANK REMOVAL:

Edblom moved, Boedigheimer seconded, that D & G Excavating be authorized to remove the underground storage tanks at the Street Department in the amount of \$8,850.00. All voted in favor of the motion.

MAIN STREET TREES:

Discussion took place at this time in regard to the problem with the sparrows roosting in the downtown trees. Two quotes were received for thinning of the 41 trees located along Main Street – one was from Jacobsen Tree Service, Granite Falls, Minnesota in the amount of \$3,900 and the other quote was from Scott's Tree Service, Marshall, Minnesota in the amount of \$1,950. Keith Nelson, Director of Public Works/City Engineer, indicated that Jacobsen Tree Service has demonstrated a familiarity with the American National Standard for Pruning, ANSI A300, and as such is recommended for this work. Councilperson Boedigheimer was not in favor of spending the greater amount and felt that Scott's Trees Service should do the work. Jacki Knigge from the Daily Grind asked if the trees would be removed as part of the downtown project. Mayor Byrnes indicated that was not to be part of the project at this time. Stores moved, Rowe seconded, that Jacobsen Tree Service be hired for the thinning of the 41 trees along Main Street in the amount of \$3,900 and that funding for this project be taken from the Street Department Budget. John Anson from the Lighthouse Books and Gifts felt that the trees were too big, they covered the signs of the downtown business places and would like to see them removed. Councilperson Boedigheimer stated that if these trees were to be removed as part of the downtown project that they should not be spending this amount of money to trim them at this time. Edblom indicated that maybe the downtown business signs are too big. All voted in favor of the motion, except Boedigheimer who voted no.

PARTTIME POLICE OFFICERS – PERA:

Upon the recommendation of Director of Public Safety Robert Yant, Reynolds moved, Doyle seconded, that Anthony M. Fauglid and Ryan T. Konken be employed as part-time Police Officers with the City of Marshall at the rate of \$10.36 effective March 8, 1999. The following resolution was adopted: BE IT RESOLVED that Anthony M. Fauglid and Ryan T. Konken be duly appointed, qualified and acting part-time police officers for the City of Marshall, Minnesota, possessing the power of arrest by warrant and otherwise and other authority generally conferred upon and possessed by the Municipal Police Officers in Minnesota with the specific duty of enforcing the laws of the State of Minnesota and the ordinances of the City of Marshall in apprehending violators thereof and engaging in the hazards of protecting the safety and property of others and said employees shall become members of the Public Employees Retirement Association Police and Fire Fund. All voted in favor of the motion.

MN DPS GRANT TO COMBAT GANGS:

Rowe moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2100, SECOND SERIES and that the reading of the same be waived. Resolution Number 2100, Second Series is a resolution Authorizing Execution of an Agreement with Minnesota Department of Public Safety for a Grant to Expand Local Capacity to Combat Gangs. All voted in favor of the motion.

CONTRACT SW AND WEST CENTRAL SERVICE COOPERATIVE:

Doyle moved, Stores seconded, the proper city personnel be authorized to enter into Membership Contract with Southwest West Central Service Cooperatives for the period July 1, 1999 to June 30,

2000. This agreement would allow the City to purchase supplies and equipment that have been competitively bid. The membership fee for one year is \$250.00. All voted in favor of the motion.

COMMUNITY SERVICE ADVISORY BOARD:

Byrnes moved, Stores seconded, the reappointment of Bob Verkinderen to the Community Services Advisory Board and the appointment of Shirley Anderson to the Community Services Advisory Board. These two terms will expire on February 28, 2002. The third opening will be re-advertised for. All voted in favor of the motion.

MAYOR AND COUNCIL REPORTS:

Reports by the Mayor and Councilmembers of the various committees, commissions and boards were as follows:

Byrnes No report.

Stores Community Services Board will meet on Wednesday.

Edblom Planning Commission met last week; Personnel Committee discussed sick leave policy as it relates to giving sick leave to another employee; they reviewed the personnel policy changes and discussed a Joint Human Resource Position; Cable Commission, Utilities Commission and Ways & Means Committee will all meet within the next 2 weeks.

Boedigheimer Jt. LEC met last Friday and toured the new facility.

Doyle Housing Commission will meet next week; Human Rights Commission and Convention & Visitors Bureau met last week; Transit Committee met last week and discussed storage for the buses.

Rowe MERIT will meet on Tuesday, March 2, 1999; Library Board will meet next Monday, the Library will be hold a Kids Only Book Sale and the regular Book Sale will be held next Thursday.

Reynolds Hospital Board met earlier this evening and indicated that they are no longer interested in the lots across the street for a parking lot; Historical Society has received an estate gift of \$13,000.

COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Councilmembers included: there will be a MAP meeting on March 12, 1999; MAFAC held an open house and reported great attendance; there was no discussion at the Downtown Design Meeting in regard to removing the trees in the Main Street area; the St. Patrick Day Parade will be held on March 17, 1999 at 5:30 P.M.

PENDING AGENDA ITEMS:

The issue of annexation needs to be added to this list.

BILLS/PROJECTS PAYMENTS:

Edblom moved, Reynolds seconded, and it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 18888 to 19027.

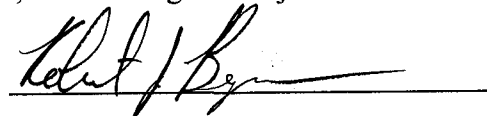
REGULAR MEETING – MARCH 1, 1999

BUILDING PERMITS:

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

J. F. Taylor & Sons, Inc.	105 South 1st Street	Office Remodel	\$4,800
True Value Home Center	104 Whitney Circle	Basement Remodel	\$15,000
Mark Goodenow	601 West Lyon Street	Interior Remodeling	\$2,500
Susan Oison	600 Kathryn Avenue	Fireplace, Replace Windows	\$4,000
Mark Elston	1211-1215 East College Dr.	Sign	\$1,000
Jerome & Marlys Gladis/ Shannon Dorenkamper	610 West James Avenue	Replace Window and Reside Dwelling and Garage	\$3,500
Steve & Tammie Carstensen	1218 Parkside Drive	Remodel Bathroom	\$500
Robert L. Carr/Raymond Fox	800 East Main Street	Addition	\$90,000

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



Mayor of the City of Marshall

ATTEST:



Financial Director/City Clerk

REGULAR MEETING – MARCH 15, 1999

The regular meeting of the Common Council of the City of Marshall was held on March 15, 1999 in the City Council Chambers of the Marshall Municipal Building. The meeting was called to order at 7:30 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Doyle, Rowe, Edblom, Reynolds, Boedigheimer and Stores. Absent: none. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Keith Nelson, Director of Public Works/City Engineer; Thomas Meulebroeck, Finance Director/City Clerk; Robert VanMoer, Wastewater Superintendent; and Jane DeVries, Deputy City Clerk.

The Pledge of Allegiance was recited at this time.

APPROVAL OF THE AGENDA:

It was the general consensus of the council that the agenda be approved with the deletion of item no. 9 which is the vacation of a portion of "H" Street and no. 13 which is authorization to advertise for bids for Project 60300 – signal light at "C"/Lyon Street and Main Street; and with the addition of item 9 which is to correct Viking Plat 9 and the addition of 23a which is an agreement to purchase real estate from North 7th Street Center.

APPROVAL OF THE MINUTES:

Rowe moved, Doyle seconded, that the minutes of the regular meeting held on March 1, 1999 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

FIVE-YEAR RENWAL OF CONDITIONAL USE PERMITS:

Doyle moved, Rowe seconded, that a five-year renewal of a Conditional Use Permit for a home occupation in an R-1 One Family Residence District be granted to Elaine Sandquist for a beauty shop business at 1100 Cheryl Avenue. All voted in favor of the motion.

Boedigheimer moved, Doyle seconded, that a five-year renewal of a Conditional Use Permit for a home occupation in an R-1 One Family Residence District be granted to Kenneth B. Smith for a gun and fishing reel repair service at 708 South 1st Street. All voted in favor of the motion.

Stores moved, Edblom seconded, that a five-year renewal of a Conditional Use Permit for a home occupation in an R-1 One Family Residence District be granted to Richard Keimig for a massage therapy business at 705 Sara Circle. All voted in favor of the motion.

CONDITIONAL USE PERMIT/HOME OCCUPATION:

Upon the recommendation of the Planning Commission, Rowe moved, Doyle seconded, that a Conditional Use Permit for a home occupation for a live bait sales business in an R-1 One Family Residence District be granted to Mark Almich at 705 Lawrence District. All voted in favor of the motion.

Upon the recommendation of the Planning Commission, Edblom moved, Boedigheimer seconded, that a Conditional Use Permit for a daycare facility servicing up to 100 children in an R-2 One to Four Family Residence District be granted to Lincoln Properties Inc., at 702 East Southview Drive and that the Conditional Use Permit granted June 16, 1986 for 700 East Southview Drive be revoked on the effective date of this permit. All voted in favor of the motion.

REGULAR MEETING – MARCH 15, 1999

PRELIMINARY PLAT – BEST WESTERN ADDITION:

Stores moved, Edblom seconded, the introduction of an ordinance and called for a public hearing on the preliminary plat of Best Western Addition. This preliminary plat was approved with the proposed access easements being provided in an agreement with the adjacent property and recorded with the County; and the northern access being modified to avoid the building canopy. This plat is the proposed site for Applebee's. The public hearing will be held at 7:30 P.M. on April 5, 1999. All voted in favor of the motion.

PRELIMINARY PLAT – O.K. FIRST ADDITION:

Boedigheimer moved, Doyle seconded, the introduction of an ordinance and called for a public hearing on the preliminary plat of O.K. First Addition. This property is along East Lyon Street and adjacent to Independence Park. The public hearing will be held at 7:30 P.M. on April 5, 1999. All voted in favor of the motion.

PRELIMINARY PLAT – VIKING ADDITION PLAT 11:

Rowe moved, Doyle seconded, the introduction of an ordinance and called for a public hearing on the preliminary plat of Viking Addition Plat 11. The public hearing will be held at 7:30 P.M. on April 5, 1999. All voted in favor of the motion.

FINAL PLAT – MARSHALL INDUSTRIAL PARK THIRD ADDITION:

Stores moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2101, SECOND SERIES and that the reading of the same be waived. Resolution Number 2101, Second Series is a resolution Approving the Final Plat of Marshall Industrial Park Third Addition. All voted in favor of the motion.

CORRECTION – VIKING ADDITION PLAT 9:

Doyle moved, Reynolds seconded, that the Land Surveyor's Certificate of Correction to Viking Addition Plat 9 be approved as corrected by Lyle Moseng, Registered Land Surveyor. All voted in favor of the motion.

PROJECT 1999-002 JEWETT STREET RECONSTRUCTION PROJECT:

Stores moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2102, SECOND SERIES and that the reading of the same be waived. Resolution Number 2102, Second Series is a resolution Approving Plans and Specifications and Ordering Advertisement for Bids for Project no. 1999-002, Jewett Street Reconstruction. The bids are to be received at 2:00 P.M. on April 12, 1999. All voted in favor of the motion.

ENGINEERING CONSULTING SERVICES – TWO BRIDGES:

Edblom moved, Rowe seconded, the proper city personnel be authorized to negotiate an agreement with Banner Associates, Inc., for the engineering services for the design of two bridges at a cost to be no greater than \$99,500. The bridges are located on North 7th Street and Kossuth Street. All voted in favor of the motion.

PURCHASE AG-CHEM APPLICATOR:

Boedigheimer moved, Stores seconded, the proper city personnel be authorized to purchase an Ag-Chem 3104 from AG-Chem Company for the Wastewater Treatment Facility Operation. This purchase provides for the trade-in of the existing dry sludge and wet sludge

REGULAR MEETING – MARCH 15, 1999

applicators for a net purchase price of \$129,000. A financial recommendation for this purchase will be done at a later date. All voted in favor of the motion.

ANNUAL REPORT – NORTH MEMORIAL HEALTH CARE:

Brennan "Buck" McAlpin, Operations Manager Marshall North Memorial Medical Transportation was in attendance at the meeting and provided the city council and others in attendance an overview of the annual report for 1998. Some of the highlights for 1998 included:

1. Elected Minnesota Ambulance Association director for SW Minnesota
2. Appointed to the SW Emergency Medical Association as the Ambulance representative
3. Developed Lyon County Emergency Management Work Group
4. Active in working with the development and educational portion of the Marshall Emergency Response Training Facility
5. Continue to expand the local EMS education business line
6. Continue to support and develop the Tactical Paramedic Team, which works with the local Drug task force group
7. Assisted in placing 5 more Automatic heart defibrillators in Lyon and Redwood Counties
8. Bike medic team placed 500 more helmets in Lyon and Redwood County
9. Received a \$1,000 Grant from the North Memorial Community Foundation for the bike medic team
10. Co-sponsored the Lenny Crandel Rescue Extravaganza
11. Will be receiving another new ambulance on 4/1/99
12. Have replaced all out dated defibrillators in Marshall
13. Have replaced all outdated portable oxygen delivery systems
14. Placed global positioning units in ambulance
15. Have begun to replace outdated pagers and portable radios in Marshall
16. Continue to provide support to outside agencies around the Marshall area to build strong working relationships in the EMS Community
17. Provide standby coverage at numerous events in the community
18. Provide free first responder training to Marshall Firemen and any law enforcement staff
19. Purchased a new EMS education van

The city council extended their appreciation to Buck for the presentation and commended North Memorial Ambulance Service for their accomplishments.

PURCHASE RADIOGRAPHIC EQUIPMENT FOR WMMC:

Dick Slieter, Administrator/CEO for Weiner Memorial Medical Center, was in attendance at the meeting to review with the council the request from WMMC for the purchase of Radiographic Equipment. Per the recommendation of Dick Slieter, Administrator/CEO for WMMC, Stores moved, Reynolds seconded, that WMMC purchase a GE Tomographic/Radiographic Unit from GE Medical Systems in the amount of \$142,715.00. All voted in favor of the motion.

RE-APPOINTMENT OF A COMMISSIONER TO HRA:

Stores moved, Edblom seconded, the adoption of RESOLUITON NUMBER 2103, SECOND SERIES and that the reading of the same be waived. Resolution Number 2103, Second Series is a resolution approving the Re-Appointment of a Commissioner to the Housing and Redevelopment Authority in and for the City of Marshall. This resolution re-appoints John Doyle as a Commission to the Housing and Redevelopment Authority in and for the City of

REGULAR MEETING – MARCH 15, 1999

Marshall for a term to expire on March 15, 2004. All voted in favor of the motion, except Doyle who abstained.

GARBAGE AND REFUSL HAULERS LICENSES:

Edblom moved, Rowe seconded, the approval of a Garage and Refuse Haulers License for Ritter's Sanitary Service and Martin Sanitary Service for the period April 1, 1999 through March 31, 2000 at a fee of \$120.00. All voted in favor of the motion.

PLUMBERS LICENSES:

Rowe moved, Doyle seconded, and it was voted unanimously to approve the following Plumbers Licenses for the period April 1, 1999 to March 31, 2000 at a fee of \$50.00:

Andy Maertens DBA Andy Maertens Plumbing
Joseph Mortier DBA Bisbee Plumbing & Heating
Rodney Bruflat DBA Bruflat Plumbing & Heating
John Bretzman DBA Crosstown Plumbing & Heating
Ed Duthoy DBA Ed's Plumbing & Heating
Ron Sussner DBA Frank's Electric, Plumbing & Heating
Gary Hansen DBA G.H. Plumbing & Heating
Gary Smidt DBA Gary's Plumbing & Heating
Ken Holm DBA Heartland Mechanical
John Holm DBA Holm Brother's Plumbing & Heating
John Jenniges DBA Jenniges Plumbing & Heating
Mike Lund DBA Mike's Plumbing & Heating, Slayton
Mike Paulson DBA Mike's Plumbing & Heating, Marshall
Neil Kroger DBA Neil's Plumbing & Heating
Kenneth Grindeland DBA Olson Hardware Corp.
Dick Winter DBA Schwan's Sales Enterprises, Inc.
Mike Orthaus DBA Tri-State Mechanical
Vern Goslar DBA Trio Plumbing & Heating
James Wambeke DBA Wambeke's Plumbing & Heating
Scott Wood DBA Wood's Plumbing & Heating

LAWFUL GAMBLING LICENSE – SW GREAT DIVIDE ROCKY MOUNTAIN ELK FOUNDATION:

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 Exempt Permit –LG 220 and that the 30 day waiting period be waived for the SW Great Divide – Rocky Mountain Elk Foundation to be used at the Best Western Marshall Inn, 1500 East College Drive, Marshall, Minnesota on Saturday, March 20, 1999. All voted in favor of the motion.

TRANSIENT MERCHANTS LICENSE:

Edblom moved, Stores seconded, the approval of a Transient Merchant License for The Pacesetter Corporation for the calendar year 1999 at a fee of \$250.00. The Pacesetter Corporation does home improvement contracting. All voted in favor of the motion.

REGULAR MEETING – MARCH 15, 1999

CONSUMPTION AND DISPLAY LICENSE:

Rowe moved, Edblom seconded, the approval of a Consumption and Display License for Marshall VFW Post 742 for the period April 1, 1999 to March 31, 2000 at a fee of \$150.00 to the State of Minnesota and \$100.00 to the City of Marshall. All voted in favor of the motion.

PERSONNEL COMMITTEE:

Edblom moved, Reynolds seconded, there be two pay classifications that be changed in the pay plan and that the pay equity report be resubmitted to the Minnesota Department of Employee Relations. The two changes that are to be made to the pay plan include the Administrative Asst. be increased by .10 per hour in step 5 and the Senior Citizens Coord. Be increased by .35 per hour in step 5. All voted in favor of the motion.

Doyle moved, Edblom seconded, that the personnel policy be changed to increase the clothing allowance to \$150/year and that the callback time be increased from a one hour to a two hours minimum. All voted in favor of the motion.

AGREEMENT TO PURCHASE REAL ESTATE:

Reynolds moved, Stores seconded, the proper city personnel be authorized to enter into an agreement to purchase real estate from North 7th Street Center for Tract No. 218 in the amount of \$43,634.00. This property is included in the Corp of Engineers Flood Control Project. All voted in favor of the motion.

MAYOR AND COUNCIL REPORTS:

Reports by the Mayor and Councilmembers of the various committees, commissions and boards were as follows:

- | | |
|--------------|--|
| Byrnes | <u>Regional Development Commission</u> discussed the MERIT Project and the SW Housing Partnership Block Development Program. |
| Stores | <u>Community Services</u> met on March 3, 1999 and discussed the parks and flood control; the April meeting will consist of all their groups providing a presentation of their programs and May 3 rd is the sign up night for the summer programs. |
| Edblom | <u>Cable Commission and Planning Commission</u> met last week; <u>Utilities Commission</u> meets next week; <u>Ways and Means Committee</u> has not met; and the <u>Personnel Committee</u> reviewed the Vacation Donation Policy for the City of Blaine and how this could be used in the City of Marshall. |
| Boedigheimer | <u>Airport Commission</u> was postponed; <u>Senior Citizen Center Commission</u> has not met; <u>Jt. LEC</u> will be meeting on Friday morning. |
| Doyle | <u>Housing Commission, Human Rights Commission and Transit Advisory Committee</u> minutes are included in the agenda packet. |
| Rowe | <u>Library Board</u> met last week and reviewed the Energy Audit Report and it was indicated that the rates for an electric furnace cannot meet the rates for a gas furnace; <u>MERIT</u> has put together a packet for the Legislature. |

REGULAR MEETING – MARCH 15, 1999

Reynolds Hospital Board met earlier this evening and discussed the noise level from the Wellness Center.

COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Councilmembers included: the retreat to be held on March 29, 1999; Hill Street does not have curb and gutter; the United Way Telethon will be held on March 16, 1999; the St. Patrick's Day Parade and Dinner will be held on March 17, 1999; Brian Murphy was welcomed back; the number of members on the Planning Commission should be reviewed; and the Y2K report should include the Housing and Redevelopment Authority.

REVIEW OF PENDING AGENDA ITEMS:

Annexation of property needs to be added to the list of pending agenda items.

BILLS/PROJECT PAYMENTS:

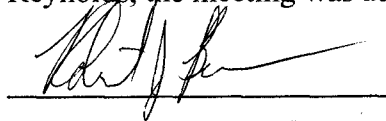
Edblom moved, Doyle seconded, and it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 19028 through 19234.

BUILDING PERMITS:

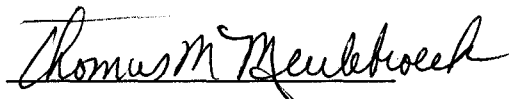
The following building permits previously approved by the Building Official were confirmed:

Marshall Chamber of Commerce	317 West Main Street	Remodel Office	\$16,300
Jerry Wiblemo	604 North 4th Street	Bathroom Remodel	\$2,500
Latendresse Construction, Co.	1507 East Lyon Street	Office Building	\$679,700
Chad Drake	709 North 5th Street	Basement Remodel	\$4,000
Blair Sign Co.	1001 North Highway 23 By-Pass	Install Sign	\$7,300

Upon motion by Doyle, seconded by Reynolds, the meeting was adjourned. All voted in favor of the motion.



Mayor of the City of Marshall



Financial Director/City Clerk


SPECIAL MEETING – MARCH 22, 1999

A special meeting of the Common Council of the City of Marshall was held on March 22, 1999 in the City Council Chambers of the Marshall Municipal Building. The meeting was called to order at 5:15 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Reynolds, Rowe, Boedigheimer and Doyle. Absent: Stores and Edblom. Staff present included: Michael Johnson, City Administrator; Dennis Simpson, Assistant City Attorney and Jane DeVries, Deputy City Clerk.

The purpose of this meeting was to consider an agreement between the Burlington Northern & Santa Fe Railway and the City of Marshall. This agreement provides for the purchase of parcel no. 246 at a cost of \$780; parcel no. 248 at a cost of \$482; parcel no. 249 at a cost of \$742; and parcel no. 250 at a cost of \$3,600 from the Railroad for the City's Flood Control Project. Mr. Simpson indicated that the parties involved have not agreed on the final draft of this agreement. It was also indicated that the Railroad Company requires that any work that is done within 25 feet of the railroad right-of-way that there must be a flagman and that City of Marshall would be responsible for the cost.

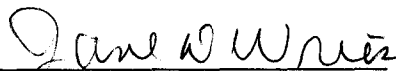
Rowe moved, Reynolds seconded, that the Mayor Robert Byrnes or President Pro-Tem Maureen Stores be authorized to execute the agreement between the City of Marshall and the Burlington Northern & Santa Fe Railway once the agreement is agreed upon by the City Administrator, City Engineer and the City Attorney. All voted in favor of the motion.

Upon motion by Rowe and seconded by Reynolds, the meeting was adjourned. All voted aye.



Mayor of the City of Marshall

ATTEST:



Deputy City Clerk

SPECIAL MEETING – MARCH 29, 1999

A special meeting of the Common Council of the City of Marshall was held on March 29, 1999 in the Meeting Room of the Marshall Municipal Utilities. The meeting was called to order at 7:20 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Doyle, Rowe, Edblom, Reynolds, Boedigheimer and Stores. Absent: none. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Keith Nelson, Director of Public Works/City Engineer; Rob Yant, Director of Public Safety; Harry Weilage, Director of Community Services; Calvin Barnett, General Services Division/City Assessor; and Jane DeVries, Deputy City Clerk.

OUTDOOR RECREATION GRANT PROGRAM APPLICATION:

Doyle moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2104, SECOND SERIES and that the reading of the same be waived. Resolution Number 2104, Second Series is a resolution Authorizing Proper City Personnel to Execute the Outdoor Recreation Grant Program Documents. All voted in favor of the motion.

COMMUNITY GROWTH/DEVELOPMENT ISSUES AND CONCERNS:

At this time each of the Division Heads presented their issues and concerns relating to the Community Growth and Development. The issues and concerns are as follows:

Keith Nelson, Director of Public Works/City Engineer:

1. Housing Solutions
2. Annexation/Planning/Zoning
3. Wastewater Treatment Facility
4. Staff Reorganization
5. Airport Improvements
6. Industrial Park Development
7. Flood Control
8. Bridges
9. Ditch 62 – Phase III

Rob Yant, Director of Public Safety:

1. Lyon County Law Enforcement Center
2. Police Department/School District Partnership
3. Substance Abuse/Gang Activity in Marshall
4. Marshall Emergency Response and Industrial Training Center (MERIT)

Calvin Barnett, Director of General Services/City Assessor:

1. Municipal Building Remodeling
2. Downtown Redevelopment
3. Small Cities Grant
4. Community Development
5. Expand the Liquor Store

SPECIAL MEETING – MARCH 29, 1999

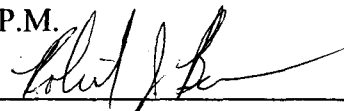
Harry Weilage, Director of Community Services:

1. Community Center
2. Downtown Park
3. Cable TV Franchise Renewal

Other issues of concern included transportation and the possibility of a city sales tax.

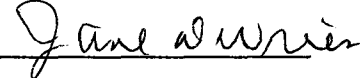
It was the general consensus of the council that a follow-up session will be held in late April.

The meeting was adjourned at 10:20 P.M.



Mayor of the City of Marshall

ATTEST:



Deputy City Clerk

REGULAR MEETING – APRIL 5, 1999

The regular meeting of the Common Council of the City of Marshall was held on April 5, 1999 in the City Council Chambers of the Marshall Municipal Building. The meeting was called to order at 7:30 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Doyle, Rowe, Edblom, Reynolds, Boedigheimer and Stores. Absent: none. Staff present included: Michael Johnson, City Administrator; Thomas M. Meulebroeck, Finance Director/City Clerk; David Marks, Fire Chief; Kim Jergenson, Senior Engineer Tech; Robert VanMoer, Wastewater Treatment Superintendent; and Jane DeVries, Deputy City Clerk.

The Pledge of Allegiance was recited at this time.

APPROVAL OF THE AGENDA:

It was the general consensus of the council that the agenda be approved with item no. 21 which is consideration of an appointment to the Community Services Advisory Board being tabled until the April 19, 1999 meeting.

PUBLIC HEARING – PRELIMINARY PLAT FOR BEST WESTERN ADDITION:

This was the date and time set for a public hearing on the preliminary plat for the Best Western Addition. There were no questions or concerns, therefore Doyle moved, Stores seconded, the public hearing be closed. All voted in favor of the motion.

Boedigheimer moved, Edblom seconded, the preliminary plat for Best Western Addition be approved. All voted in favor of the motion.

PUBLIC HEARING – PRELIMINARY PLAT FOR O.K. FIRST ADDITION:

This was the date and time set for a public hearing on the preliminary plat for the O.K. First Addition Addition. There were no questions or concerns, therefore Doyle moved, Reynolds seconded, the public hearing be closed. All voted in favor of the motion.

Doyle moved, Reynolds seconded, the preliminary plat for O.K. First Addition be approved. All voted in favor of the motion.

PUBLIC HEARING – PRELIMINARY PLAT FOR VIKING ADDITION PLAT 11:

This was the date and time set for a public hearing on the preliminary plat for Viking Addition Plat 11. There were no questions or concerns, therefore Doyle moved, Rowe seconded, the public hearing be closed. All voted in favor of the motion.

Stores moved, Doyle seconded, the preliminary plat for Viking Addition Plat 11 be approved. All voted in favor of the motion.

REQUEST FOR FINAL PLAT AND REZONE HY-VEE ADDITION:

The Final Plat of the Hy-Vee Addition was not received, therefore Edblom moved, Reynolds seconded, the approval of the final plat for Hy-Vee addition and the request to rezone a portion of the Hy-Vee Addition, Block One, Lot 1 from I-1 Limited Industrial District to B-3 General Business District be postponed until the April 19, 1999 City Council meeting. All voted in favor of the motion.

PURCHASE TRANSIT VEHICLE:

Jeanette Aquire, Western Community Action Inc., was in attendance at the meeting to review with the council the 1998 Transit Financial Information and Operation and to request the City of Marshall's support in authorizing Western Community Action Inc., to purchase a transit vehicle in 1999 and that the City will provide the 20% local support. Stores moved, Doyle seconded, that the City Council authorize Western Community Action, Inc., to purchase a transit vehicle in 1999 and to provide 20% of the cost of a new transit vehicle up to the amount that was budgeted for the City of Marshall in 1999. All voted in favor of the motion.

ISSUANCE AND SALE OF \$8,000,000 BONDS FOR WMMC:

Reynolds moved, Stores seconded, the adoption of RESOLUTION NUMBER 2105, SECOND SERIES and that the reading of the same be waived. Resolution Number 2105, 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 resolution provides for the sale of \$8,000,000 Medical Center Revenue Bonds Series 1999. All voted in favor of the motion.

PURCHASE OF SURGICAL TABLE FOR WMMC:

Rowe moved, Stores seconded, the proper personnel from Weiner Memorial Medical Center be authorized to purchase an Amsco 3085SP Surgical Table from Steris Corporation in the amount of \$34,032.80. All voted in favor of the motion.

OUT-OF-STATE TRAVEL – FIRE DEPARTMENT:

Dave Marks, Fire Chief, reviewed with the council the request for out-of-state travel for 4 members of the Fire Department to attend the Volunteer & Combination Officers Symposium '99 to be held in Tampa, Florida. Mr. Marks indicated that the members have opted to attend this conference instead of the International Chiefs Conference in Kansas City and they have agreed to pay for their own meals. Councilperson Boedigheimer was not in favor of a department paying for part of their expenses even if it was their choice. Boedigheimer moved, Byrnes seconded, the approval of four (4) members of the Fire Department being allowed out-of-state travel to attend the Volunteer & Combination Officers Symposium '99 in Tampa, Florida from April 16-18, 1999 and that all the expenses would be paid with a budget adjustment from the Mayor and Council Contingency Account if needed. Councilperson Edblom did not feel that this should be paid out of the Mayor and Council Contingency Account, therefore Boedigheimer moved, Byrnes seconded, the motion be amended to state that the additional expenses would be paid from the Fire Department's Budget. All voted in favor of the motion.

AGREEMENTS WITH TOWNSHIPS FOR FIRE PROTECTION:

Boedigheimer moved, Edblom seconded, that the proper city personnel be authorized to enter into agreements with the surrounding townships for fire protection services for the period May 1, 1999 to April 30, 2000 at a fee of \$130.00 per section and for the period May 1, 2000 to April 30, 2001 at a fee of \$135.00 per section. The townships include are: Lake Marshall; Clifton, Sodus, Lynd, Fairview and Stanley. All voted in favor of the motion.

**REGIONAL EMERGENCY RESPONSE & INDUSTRIAL TRAINING CENTER
PROJECT GRANT AGREEMENTS WITH MINNESOTA DEPT OF PUBLIC SAFETY:**

Rowe moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2106, SECOND SERIES and that the reading of the same be waived. Resolution Number 2106, Second Series is a resolution authorizing the proper city personnel to execute the Regional Emergency Response & Industrial Training Center Project Agreement with Minnesota Department of Public Safety. All voted in favor of the motion.

FINAL PLAT – BEST WESTERN ADDITION:

Rowe moved, Stores seconded, the adoption of RESOLUTION NUMBER 2107, SECOND SERIES and that the reading of the same be waived. Resolution Number 2107, Second Series is a resolution Approving the Final Plat of Best Western Addition. All voted in favor of the motion.

FINAL PLAT – O.K. FIRST ADDITION:

Edblom moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2108, SECOND SERIES and that the reading of the same be waived. Resolution Number 2108, Second Series is a resolution Approving the Final Plat of O.K. First Addition. The owners of this addition are Randy Otis and Charles Klinkhammer. All voted in favor of the motion.

FINAL PLAT – VIKING ADDITION PLAT 11:

Edblom moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2109, SECOND SERIES and that the reading of the same be waived. Resolution Number 2109, Second Series is a resolution Approving the Final Plat of Viking Addition Plat 11 and that all special assessments be paid. All voted in favor of the motion.

FINANCE PLAN FOR LIQUID SLUDGE APPLICATOR:

Per the recommendation of City staff, Boedigheimer moved, Reynolds seconded, that the City of Marshall finance the Liquid Sludge Application from the \$50,000 currently in the 1999 capital expenditure budget and that the additional \$78,000 be taken from the operating reserve account. All voted in favor of the motion.

VACATION OF AN EASEMENT:

Boedigheimer moved, Stores seconded, the introduction of an ordinance and calling a public hearing to Vacate a Utility Easement in the City of Marshall. This easement is located between Lots 1 and 2, of Block 1, Southview Third Subdivision. The public hearing will be held at 7:30 P.M. on April 19, 1999. All voted in favor of the motion.

AIRPORT CAPITAL IMPROVEMENT PLAN:

Reynolds moved, Doyle seconded, the approval of the Airport 5-Year Capital Improvement Plan as provided by Keith Nelson, Director of Public Works/City Engineer. This plan includes \$268,000 of City funding for the State's FY2001. The \$268,000 includes \$200,000 for an Arrival/Departure Building; \$40,000 for water/sewer extension and \$28,000 for a tractor/loader. These projects could take place as early as July 2000. All voted in favor of the motion.

MARSHALL MUNICIPAL UTILITIES – ALARMS:

At this time Gregg Sherman, Marshall Municipal Utilities, reviewed with the Council and others in attendance the possibility of MMU becoming involved with a security alarm system. He indicated that T. Eric would be willing to donate the current equipment that he has and that with the police department moving to the Law Enforcement Center there would be a need for this type of service. He also indicated that this service could include medical alarms and home alarms. Stores moved, Edblom seconded, that the Marshall Municipal Utilities do more investigation into this system. All voted in favor of the motion.

There was a 5-minute recess at this time.

MARSHALL SOFTBALL ASSOCIATION – BEER LICENSE:

Edblom moved, Rowe seconded, the approval of an on-sale non-intoxicating beer license for the Marshall Softball Association for use at the Softball Complex from May 10, 1999 through September 3, 1999 at a fee of \$100.00 and upon receipt of the proper insurance. All voted in favor of the motion.

MARSHALL AREA MEN'S CHORUS – LIQUOR LICENSE:

Doyle moved, Stores seconded, the approval of a temporary on-sale liquor license for the Marshall Area Men's Chorus to be used at Southwest State University on Saturday, April 24, 1999. All voted in favor of the motion.

MAYOR AND COUNCIL REPORTS:

Reports by the Mayor and Councilmembers of the various committees, commissions and boards were as follows:

Byrnes	<u>EDA, Fire Relief Association, Regional Development Commission</u> have not met.
Stores	<u>Community Services Advisory Board, Jr. Ice Facility Board</u> have not met.
Edblom	<u>Cable Commission, Planning Commission, Utilities, Commission, Ways & Means Committee, Personnel Committee</u> have not met.
Boedigheimer	<u>Airport Commission, Senior Citizen Center Commission, Lyon County Enterprise Development, Jt. LEC, Public Improvement/Transportation Committee</u> have not met.
Doyle	<u>Housing Commission, Human Rights Commission, Convention & Visitors Bureau</u> have not met.
Rowe	<u>Insurance Advisory Committee, Library Board, Legislative & Ordinance Committee</u> have not met; <u>MERIT</u> met last week.
Reynolds	<u>Hospital Board</u> will meet next week.

REGULAR MEETING – APRIL 5, 1999

COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Councilmembers included: the number of building permits has increased this month; there was a concern about buildings downtown that are boarded up being a fire hazard; the idea of stop lights at the intersection of Hwy 59 & 23 and Hwy 19 & 23 was discussed; following last weeks dust storm there was a considerable amount of dirt along Southview Drive – it is not the City's responsibility to remove this from the property along there.

BILLS/PROJECT PAYMENTS:

Edblom moved, Stores seconded, and it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 19235 through 19415.

BUILDING PERMITS:

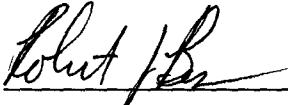
The following building permits previously approved by the Building Official were confirmed.

Sundance Auto Repair	1211 East College Drive	Free Standing Sign	\$900
David Swanson	612 Adobe Circle	Install Wood-Burning Stove	\$3,800
Geske Building & Supply Co.	1009 Boxelder Avenue	Install Door	\$900
Geske Building & Supply Co.	301 West James Avenue	Install Window	\$2,500
Steven Baumann Construction	1106 Bruce Circle	Basement Remodel	\$4,000
Chester Miller	405 South 1st Street	Utility Shed	\$1,000
Independent Lumber of Marshall, Inc.	403 Woodland Way	Dwelling	\$250,000
REM, Inc.	206 Carrow Circle	Replace Windows and Door	\$2,500
Tholen Auto Sales	1104 West Main Street	Entry Door and Stoop	\$1,200
Wathco, Inc.	908 East Main Street	Remodel and Install Sign	\$27,300
Orlin Bruss	1216 Parkside Drive	Siding	\$7,000
Greg Ahmann	1223 East Fairview Street	Interior Remodel	\$800
Hair Designers of Marshall, L.L.C.	1209 East College Drive	Interior Remodel	\$1,000
John & Cheryl Smith	813 Viking Drive	Dwelling	\$180,000
Carr Properties	700 North 7th Street	Install Doors and Ramp	\$7,000
Paul & Jennifer Griebel	820 Viking Drive	Dwelling	\$174,200
Perry Penske	224 Legion Field Road	Reroof and Siding Garage	\$1,200
John Bot	1103 Indiana Jones Avenue	Finish Basement	\$3,000
True Value Home Center	818 Viking Drive	Addition	\$9,000
True Value Home Center	403 South Bruce Street	Dwelling	\$140,000
Marshall Municipal Utilities	113 South 4th Street	Generator Room	\$5,000
Donald Dretsch	511 West Marshall Street	Reroof Garage	\$500
Dan Hennen	905 Birch Street	Reroof Dwelling	\$1,500
Alan Maag	117 Spruce Lane	Deck	\$800
Dean Coudron	627 West Southview Drive	Entry Stoop	\$500
North Star Modular Homes	1227 Patricia Court	Prefabricated Dwelling	\$56,200
Trio Plumbing & Heating	1202 West Main Street	Shop	\$38,000

REGULAR MEETING – APRIL 5, 1999

Ryan Besse	1236 Patricia Court	Dwelling	\$85,000
------------	---------------------	----------	----------

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



Mayor of the City of Marshall

ATTEST:



Financial Director/City Clerk

1999 LOCAL BOARD OF REVIEW
MONDAY, APRIL 19, 1999
6:00 P.M.
CITY COUNCIL CHAMBERS

Board Members Present: Mayor Robert Byrnes, John Doyle, Ted Rowe, Maureen Stores, Don Edblom, Michael Boedigheimer

Board Members Absent: Mike Reynolds

City Staff Present: Calvin Barnett, Carole Snyder, Doris Huber

Others Present: Dean Champine, Caroline Runholt, Pat Carlson,
Tom Meulebroeck, Peter Kauffner

Mayor Byrnes opened the 1999 Local Board of Review as presiding officer at 6:00 p.m. Following Mayor Byrnes' opening remarks, City Assessor Calvin Barnett briefly reviewed the 1999 Local Board of Review background information packet. The same information was made available to people in attendance and the media. Barnett highlighted factors affecting the Marshall housing market. Generally the relationship of supply and demand is causing the sale price of homes to increase.

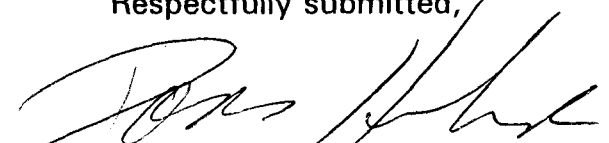
Following the review of the assessment background information, individuals in attendance who had questions or comments regarding their property values for the 1999 assessment year were provided the opportunity to address their concerns to the Local Board of Review and the Assessor.

Mrs. Pat Carlson, 112 Park Avenue (27-496-002-0), questioned why the value for the 1999 assessment was in excess of a very recent purchase price. Mrs. Carlson indicated the house at 112 Park Avenue was recently purchased at \$125,000, and was recently appraised for mortgage purposes at \$126,000. Barnett indicated the assessor's estimated market value generally does not exceed the recent purchase price of a property as evidenced by the information earlier reviewed with the Local Board of Review. Barnett indicated Carole Snyder, City Appraiser, would be establishing a date for a property inspection. Based upon Mrs. Snyder's inspection and market analysis, a recommendation will be made to the Local Board of Review.

Barnett advised the Local Board of Review a report would be prepared with recommendations on several properties which had contacted the Marshall City Assessor's office prior to the Local Board of Review, the residence at 112 Park Avenue, and any clerical changes. The Local Board of Review will receive the assessor's report on May 3, 1999.

There being no further businesses before the 1999 Local Board of Review,
MOTION BY TED ROWE, SECONDED BY JOHN DOYLE to adjourn the meeting at
6:45 p.m.

Respectfully submitted,



Doris Huber, Recording Secretary

REGULAR MEETING – APRIL 19, 1999

The regular meeting of the Common Council of the City of Marshall was held on April 19, 1999 in the Council Chambers of the Marshall Municipal Building. The meeting was called to order at 7:32 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Doyle, Rowe, Edblom, Boedigheimer and Stores. Absent: Reynolds. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Robert VanMoer, Wastewater Superintendent; Keith Nelson, Director of Public Works/City Engineer and Jane DeVries, Deputy City Clerk. Thomas M. Meulebroeck, Finance Director/City Clerk arrived late.

The Pledge of allegiance was recited at this time.

APPROVAL OF THE AGENDA:

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

APPROVAL OF THE MINUTES:

It was the general consensus that the minutes of the regular meeting held on April 5, 1999 be approved as filed with each member and that the reading of the same be waived.

PUBLIC HEARING – VACATION OF EASEMENT:

This was the date and time set for a public hearing on the vacation of an easement located between Lots 1 and 2, Block 1, Southview Third Subdivision. There were no objections or concerns, therefore Rowe moved, Doyle seconded, the public hearing be closed. All voted in favor of the motion.

Boedigheimer moved, Stores seconded, the adoption of ORDINANCE NUMBER 413, SECOND SERIES and that the reading of the same be waived. Ordinance Number 413, Second Series is an Ordinance Vacating a Utility Easement in the City of Marshall. This easement is located between Lots 1 and 2, Block 1, Southview Third Subdivision. All voted in favor of the motion.

CONDITIONAL USE PERMIT/HOME OCCUPATION RENEWAL:

Doyle moved, Stores seconded, that a 5-year renewal of a Conditional Use Permit for a home occupation be approved for Marie Vlaminck to conduct a beauty consultant business at 1209 Westwood Drive in an R-1 One Family Residence District. All voted in favor of the motion.

VARIANCE ADJUSTMENT PERMIT:

Per the recommendation of the Planning Commission Edblom moved, Boedigheimer seconded, the approval of a Variance Adjustment Permit for Edward & Eve Wyffels to construct an accessory building at 406 North 5th Street. This variance allows for a rear yard of 7.5', instead of the requested 3', in lieu of 15' as required by ordinance; and 20' in mean height in lieu of 12' as required by ordinance. Councilperson Boedigheimer asked if the Wyffel's were in agreement with this. Mr. Wyffels indicated that 5' instead of 7.5' would be better as they were putting a patio between the house and the accessory building and this would give them more room. All voted in favor of the motion.

TEMPORARY STREET CLOSURE:

Stores moved, Rowe seconded, that authorization be granted to the proper City personnel to close off 3rd Street between Main Street and East Lyon Street and that per the approval of the Minnesota Department of Transportation the authorization is granted to close off Main Street between T.H. 19 and 4th Street on June 6, 1999 from 6:00 A.M. to 6:00 P.M. This would allow the Shades of the Past Car Club to park and show their vehicles during this time. All voted in favor of the motion.

EFFLUENT FILTER AND BIOSOLIDS STORAGE FEASIBILITY STUDY:

Boedigheimer moved, Doyle seconded, the acceptance of the proposals for Effluent Filter and Biosolids Storage Feasibility Studies by SEH-RCM. SEH-RCM for a fee of \$10,000 would evaluate three filter types to replace the existing Effluent Filter which was part of the original plant equipment dating back to 1975; and SEH-RCM for a fee of \$5,000 would evaluate the feasibility of constructing a reinforced concrete, below-ground tank, with multiple chambers and sludge draw-off capability. All voted in favor of the motion.

PETITION FOR WATERMAIN IMPROVEMENT PROJECT:

Stores moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2110, SECOND SERIES and that the reading of the same be waived. Resolution Number 2110, Second Series is a resolution Declaring Adequacy of Petition and Ordering Preparation of Report. This petition was received from DTG for a watermain to be extended from Jewett Street to the proposed DTG offices at a cost to be assessed and paid by DTG. There was some discussion in regard to other development being allowed to use this watermain and if there would be any assessment to them. It was indicated that at this time DTG has agreed to pay the full assessment. All voted in favor of the motion.

DISPOSITION OF PROPERTY:

Edblom moved, Rowe seconded, the adoption of RESOLUTION NUMBER 2111, SECOND SERIES and that the reading of the same be waived. Resolution Number 2111, Second Series is a resolution Approving the Disposition of Property owned by the City of Marshall, a Municipal Corporation, to Lanners Brothers Construction Co. This resolution provides for Lanners Brothers Construction Co., to purchase Parcel A at a fee of \$17,500. Parcel A is described as follows: All that part of the Southeast Quarter and the Northeast Quarter of Section 7, Township 111 North, Range 41 West, Lyon County, Minnesota, being more particularly described as follows: Commencing at the northeast corner of said Southeast Quarter; thence South 01 degrees 02 minutes 19 seconds West, assumed bearing, along the east line of the Southeast Quarter of said Section 7, a distance of 66.00 feet, to the point of beginning; thence North 88 degrees 57 minutes 41 seconds West a distance of 333.00 feet; thence North 01 degrees 02 minutes 19 seconds East a distance of 111.15 feet; thence South 81 degrees 37 minutes 04 seconds West a distance of 32.93 feet; thence South 00 degrees 00 seconds East a distance of 16.65 feet; thence South 84 degrees 10 minutes 30 seconds West a distance of 251.95 feet; thence southeasterly, along a non tangential curve, concave to the southwest, having central angel of 19 degrees 34 minutes 52 seconds, a radius of 100.00 feet, an arc length of 34.18 feet, and a chord that bears South 18 degrees 49 minutes 51 seconds East; thence southeasterly, along a reverse curve concave to the northeast, having a central angle of 79 degrees, 55 minutes, 17 seconds, a radius of 80.00 feet, and an arc length of 111.59 feet; thence South 88 degrees 57 minutes 41 seconds East, tangent to said reverse curve, a distance of 525.00 feet to a point on the east line of said Southeast Quarter; thence North 01 degrees 02 minutes 19 seconds East, along said east line, a distance 39.00 feet to the point of beginning. All voted in favor of the motion.

SPLITTING SPECIAL ASSESSMENTS – MCKIGNEY PROPERTY:

As requested by John I. McKigney and Grace C. McKigney Trustees for the McKigney Property, Rowe moved, Stores seconded, the adoption of RESOLUTOIN NUMBER 2112, SECOND SERIES and that the reading of the same be waived. Resolution Number 2112, Second Series is a resolution Redistributing Assessments on Parcel Number 27-819013-0. This resolution provides for \$16,445.80 to be transferred from parcel number 27-819013-0 to 27-819013-4. All voted in favor of the motion.

REGULAR MEETING – APRIL 19, 1999

REAL ESTATE PURCHASE AGREEMENT:

Per the request of the Marshall Industries Foundation, Inc., Boedigheimer moved, Doyle seconded, that the proper city personnel be authorized to enter into a Real Estate Purchase Agreement of 57.07 acres for a new industrial park. The purchase price for the 57.07 acres is \$313,885 and the City agrees to assume and pay the principal balance of all the special assessments now levied against the 57.07 acres. The amount of outstanding special assessments totals \$67,217.27. Mr. Rehkamp is also requesting that the City of Marshall reimburse Marshall Industries Foundation for various costs incurred in the purchase of this real estate. All voted in favor of the motion.

TIF ASSISTANCE FOR GRILL WORKS, INC.

Doyle moved, Edblom seconded, the approval of Tax Increment Assistance in the amount of \$10,000 for Grill Works Inc., for soil stabilization. The area needing corrective work is the result of a 38' x 76' addition being added to their existing building. The addition will require a new parking area for employees as well as a pathway for incoming and outgoing shipments of finished goods and raw materials. Once the city has received documentation from Grill Works, Inc., the city will reimburse them 50% up to \$10,000 for soil stabilization cost from the City's 1996 TIF Bond Account. All voted in favor of the motion.

TRANSFER OF ON-SALE INTOXICATING LIQUOR LICENSE:

Rowe moved, Stores seconded, that a public hearing be held at 7:30 P.M. on May 3, 1999 to consider the transfer of a liquor license from Richard VanDyke, DBA Rumours Bar & Grill to Three Legged Dog, Inc., DBA Rumours Bar & Grill. The liquor questionnaire was sent to the new applicant and should be received before the public hearing. All voted in favor of the motion.

SPECIAL VEHICLE LICENSES:

Doyle moved, Rowe seconded, and it was voted unanimously to approve the following Special Vehicles Licenses for the period January 1, 1999 to December 31, 1999 at a fee of \$25.00:

Steve Kane
Robert Egly
Jack Schroeder
James Zmeskal

AIRPORT DRAINAGE CONCERN – RANDY BOOMGAARDEN:

At this time Keith Nelson, Director of Public Works/City Engineer, reviewed with the council the airport drainage concerns and how they affect Randy Boomgaarden, 2345 Channel Parkway. Randy Boomgaarden was in attendance at the meeting to discuss this concern. He indicated that he owns the property along the ditch that the city installed for drainage. He indicated that since the installation of the airport drainage ditch they have had to install a new septic system and they have to sandbag around their house every year. Edblom moved, Doyle seconded, that this be referred to the Public Improvement Committee for discussion and a recommendation be brought back to the council. All voted in favor of the motion.

APPOINTMENT TO COMMUNITY SERVICES BOARD:

Byrnes moved, Stores seconded, that Kim Haugeberg be appointed to the Community Services Advisory Board for a term to expire on February 28, 2002. All voted in favor of the motion.

MAYOR AND COUNCIL REPORTS:

Reports by the Mayor and Councilmembers of the various committees, commissions and boards were as follows:

- Byrnes EDA items were discussed earlier at the meeting; Regional Development Commission met this past week and they are continuing to work on the Worthington Expo Project.
- Stores Community Services Advisory Board reports were given by the various associations that work with the Community Services Department in providing various activities; Summer registration will be held on May 3, 1999; Marshall Action Plan met and discussed how to recruit and keep new employees in Marshall.
- Edblom Cable Commission met but Edblom was unable to attend; Planning Commission items were discussed earlier; Ways and Means Committee payment of franchise fees were discussed franchises other than cable – it was indicated that DTG does not consider the internet service as part of the cable service and therefore not subject to the franchise fee; Utilities Commission will meet on Tuesday; Personnel Committee reviewed the Vacation Donation Policy and hope to have this finalized soon, they also need to work on safety issues.
- Boedigheimer Airport Commission discussed their 5-year plan; Senior Citizen Center Commission Mr. Boedigheimer was not able to attend but did indicate that there is a major problem with the heating system at the center; Jt. LEC indicated that they should be able to move in on schedule.
- Doyle Housing Commission minutes are included in the agenda packet; Transit Committee discussed the new bus.
- Rowe Library Board the new carpet and painting have been completed, the internet classes continue to be successful; there are some additional costs involved with the disposal of the lights; MERIT met last week and indicated that they need to continue their lobbying efforts with the legislature.

COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Councilmembers included: the newspaper article in regard to the proper use of the leaf disposal site; discussion needs to continue on the franchise fee issue; there was a concern about the traffic in the area of the high school during the morning and afternoon hours; there were questions about the Lucille Street improvement and Hill Street projects; the legislature is discussing increasing the number of liquor licenses for the City of Marshall; there was a concern about the Diversion Channel working properly and how high the river needs to get before it flows into the Diversion Channel; Mr. Boedigheimer questioned the definition of a liquor license transfer – he felt once a place gives up their license and someone else applies for it – it is not a transfer.

REGULAR MEETING – APRIL 19, 1999

PENDING AGENDA ITEMS:

Pending agenda items discussed include the stop light at East Main Street & "C" Street; and the rezoning of Hy-Vee Addition.

BILLS/PROJECT PAYMENTS:

Edblom moved, Doyle seconded, and it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 19416 through 19583.

BUILDING PERMITS:

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

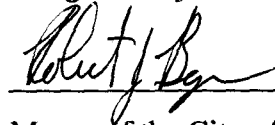
Lyon County	607 West Main Street	Finish Third Floor	\$394,700
Erickson Oil Products, Inc.	304 East College Drive	Install Sign	\$500
Geske Building & Supply Co.	621 Elaine Avenue	Install Window	\$800
Kesteloot Construction, Inc.	115 West Maple Street	Replace Windows, Reroof Dwelling, Siding	\$13,000
Sussner Construction, Inc.	1609 Halbur Road	Addition to Manufacturing Building	\$180,100
Denny Miller Construction	410 South Whitney Street	Install Windows and Basement Remodel	\$6,700
Babcock Construction	822 West Main Street	Reside Dwelling and Replace Window	\$4,900
Jamie Koob	702 Elaine Avenue	Reroof and Siding	\$3,500
Cody & Darcy Murphy	902 Boxelder Street	Addition	\$8,000
Denny Miller Construction	220 London Road	Four-Season Porch	\$20,300
David & Rebecca Gifford	205 Elaine Avenue	Brick Veneer	\$2,000
Henry Bot	808 East Southview Court	Deck	\$1,700
Douglas & Roberta Goodmund	804 Brian Street	Replace Windows and Doors	\$4,000
Hiller Development Co.	1005 Indiana Jones Avenue	Two-Unit Condominium	\$185,000
Joel & Amy Labat	802 Elaine Avenue	Deck	\$1,800
Sussner Construction, Inc.	307 West College Drive	Office Remodeling	\$281,000
Douglas Marcotte	301 West Southview Drive	Entry Step	\$700
Eberhard & Beverly Heim	310 East Southview Court	Reroof Dwelling	\$6,000
Brad Boerboom	107 "C" Street	Reroof	\$700
Pam Larson	615 West Thomas Avenue	Demolish Porch and Chimney	\$0
Bakke's Home Repair & Construction	503 Elaine Avenue	Deck	\$4,500
Steven Baumann Construction	901 Colombine Drive	Reside Dwelling	\$6,000
Rogge Construction	416 North 6th Street	Garage Floor	\$700
Richard Zerr	412 Elm Street	Demolish Garage	\$0
Richard Zerr	412 Elm Street	Garage	\$9,700
Bladholm Construction, Inc.	105 West Thomas Avenue	Brick Veneer and Stoop	\$2,700
George J. Jacob Construction	400 West College Drive	Reroof	\$16,500
Duane & Marian Pagel	218 North High Street	Remove Window and Install Fireplace	\$4,000

REGULAR MEETING – APRIL 19, 1999

Alan Carpenter	608 Donita Avenue	Finish Basement	\$1,200
Arlen Meyer	1303 Parkside Drive	Replace Steps	\$1,500
Robert L. Carr/Raymond Fox	800 East Main Street	Demolish Warehouse	\$0

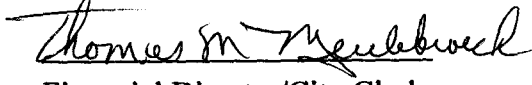
There will be a special council meeting held on April 26, 1999 to follow-up on the meeting held on March 29, 1999.

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



Mayor of the City of Marshall

ATTEST:



Financial Director/City Clerk

LOCAL BOARD OF REVIEW
MAY 3, 1999

The continuation of the Local Board of Review was called to order at 7:15 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, Rowe, Boedigheimer, Stores and Reynolds.

Mayor Byrnes called upon City Assessor, Calvin Barnett, to provide the City Council with his recommendations from the Local Board of Review meeting held on April 19, 1999. The recommendations to the 1999 Local Board of Review are based on property owner appearing before the Board of Review and four people raising questions, which required follow-up prior to this report. As recommended by Calvin Barnett, Doyle moved, Rowe seconded, the recommendations made by City Appraiser Carol Synder be approved as follows:

Steve & Patricia Carlson – 112 Park Avenue (27-496-002-0)
1999 Assessed Market Value: \$137,200

Mr. & Mrs. Carlson purchased the property on March 30, 1999 for \$125,950. It had been vacant for about two years. After inspecting the property and making adjustments for more deferred maintenance than previously estimated, it was compared it to three recent sales. They indicated a value range of \$124,300 to \$126,100.

Recommendation: Lower the 1999 value to \$125,000.

Mr. Mark Goodenow – 601 West Lyon Street (27-111-019-0)
1999 Assessed Market Value: \$121,300

Mr. Goodenow had requested an inspection of his property in February of 1999, because of remodeling he had begun in 1998. After receiving his valuation notice, he had questions regarding how the value of his home was determined since it was still under construction. Mr. Goodenow was informed that homes in his neighborhood were increased 9%. Even though his home wasn't completed, he had finished some improvements, which added \$4,300.

Recommendation: No Change

Kevin & Sara Inpecoven – 109 Kathryn Avenue (27-573-012-0)
1999 Assessed Market Value: \$101,800

Mr. & Mrs. Inpecoven purchased the property February 2, 1999, for \$96,000. They contacted the assessor's office questioning the assessed market value. The property was inspected and sales were analyzed to determine if any changes were needed. They indicated a value range of \$96,600 to \$103,300. The Inpecoven's indicated they purchased the home directly from the previous owner, not through a realtor. The bank appraisal was \$107,500.

Recommendation: No change

LOCAL BOARD OF REVIEW

MAY 3, 1999

Mr. George Jacob – 307 South 6th Street (27-600-053-0)
1999 Assessed Market Value: \$45,600

Mr. Jacob had contacted the assessor's office concerning the value of his property. He purchased the home at an estate auction for \$35,000 in April, 1998. He installed new windows and floor coverings, painted the interior, and added a new furnace and central air. The cost of the improvements was about \$9,000. The home was compared to other recent sales and determined the value range to be \$51,400 to \$56,600.

One of the comparables was an older home, which sold at auction for \$48,000. The buyer estimated they had made \$2,000 to \$2,500 of improvements and sold it three months later for \$57,500.

Recommendation: No Change

Alvin & Lois Evers – 605 Arbor Court (27-708-035-0)
1999 Assessor's Market Value: \$157,400

Mr. Evers contacted the assessor's our office concerning the increase in value of his property, which has a wet basement. The property was inspected, which hadn't had a full interior inspection since 1990. Adjustments had been made previously to the property for the lack of adequate drainage. After analyzing current sales and with an adjustment for more deferred maintenance, the indicated value range is \$153,000 to \$160,000

Recommendation: Lower the 1999 value to \$155,100.

The following are the 1999 Board of Review clerical changes:

1999 BOARD OF REVIEW CLERICAL CHANGES

27-114-001-0	William Pavot		
	Old Value	11,500	New Value
		50,600	53,000
		62,100	64,500
27-484-001-0	Margaret Allen		
	Change class to 204-0 - Deceased Summer of 1998		
27-677-115-0	John Middleton		
	Change class to 243-0 - sale 12-98		

LOCAL BOARD OF REVIEW
MAY 3, 1999


- 27-162-019-0 Michael Buysse
Change class to 206-0 - triplex apartment
- 27-574-0320-0 Marlin Bess
New construction should be \$82,000
1999 Value: Land: 19,000
Building: 82,000
Total: 101,000
- 27-121-018-0 Housan Soukieh
Change class to 201-1
- 27-999-014-0 Greg Cattoor
Value should be 4,200
- 27-206-054-0 Rena Lockwood
Change class to 204-0. Moved from home Sept of 98

Upon motion by Rowe, seconded by Reynolds, the meeting was adjourned. All voted aye.



Mayor of the City of Marshall

Attest:



Financial Director/City Clerk

REGULAR MEETING – MAY 3, 1999

The regular meeting of the Common Council of the City of Marshal was held on May 3, 1999 in the Council Chambers of the Marshall Municipal Building. The meeting was called to order at 7:30 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Doyle, Rowe, Edblom, Reynolds, Boedigheimer and Stores. Absent: none. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Keith Nelson, Director of Public Works/City Engineer; Thomas M. Meulebroeck, Finance Director/City Clerk; Rob Yant, Director of Public Safety; Robert VanMoer, Wastewater Treatment Facility Superintendent; and Jane DeVries, Deputy City Clerk.

The Pledge of Allegiance was recited at this time.

APPROVAL OF THE AGENDA:

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

APPROVAL OF THE MINUTES:

Edblom moved, Rowe seconded, that the minutes of the Local Board of Review held on April 19, 1999 and the minutes of the regular meeting held on April 19, 1999 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

PUBLIC HEARING – TRANSFER LIQUOR LICENSE RUMOURS BAR AND GRILL:

This was the date and time set for a public hearing on the transfer of an on-sale intoxicating liquor license from Richard VanDyke DBA Rumours Bar and Grill to Matthew Schnoor/Three Legged Dog, Inc., DBA Rumours Bar and Grill. The intent of Mr. Schnoor is to serve burgers, appetizers, pizza, etc., with an emphasis on live music on the weekends. Stores was concerned about education for employees serving liquor. Mr. Schnoor indicated that they provide training for all of their employees. There was also some concern about loud music in the past. Doyle moved, Reynolds seconded, the public hearing be closed. All voted in favor of the motion.

Stores moved, Rowe seconded, the approval of the transfer of the on-sale intoxicating liquor license; a Sunday liquor license and a tobacco license from Richard VanDyke DBA Rumours Bar and Grill to Matthew Schnoor/Three Legged Dog, Inc., DBA Rumours Bar and Grill. All of these licenses will expire on December 31, 1999. All voted in favor of the motion.

FINAL PLAT HY-VEE ADDITION:

Doyle moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2113, SECOND SERIES and that the reading of the same be waived. Resolution Number 2113, Second Series is a resolution approving the Final Plat of Hy-Vee Addition. This final plat was approved contingent upon the receipt of the title opinion, list of conditions from MN/DOT and approval from City Attorney Brian Murphy. Dennis Ausenhuis, Vice President of Real Estate/Engineering for Hy-Vee, was in attendance at the meeting. He indicated that Hy-Vee is agreeable to having right-in and right-out access to Main Street. All voted in favor of the motion.

PUBLIC HEARING – REZONE HY-VEE ADDITION:

This was the date and time set for a public hearing to rezone Hy-Vee Addition, Block One, Lot 1 from I-1 Limited Industry District to B-3 General Business District. There were no

REGULAR MEETING – MAY 3, 1999

objections or concerns, therefore Rowe moved, Reynolds seconded, the public hearing be closed. All voted in favor of the motion.

Edblom moved, Doyle seconded, the adoption of ORDINANCE NUMBER 414, SECOND SERIES and that the reading of the same be waived. Ordinance Number 414, Second Series is an ordinance Amending Chapter 11 of the City Code relating to Zoning. This ordinance rezones Hy-Vee Addition, Block One, Lot 1, from I-1 Limited Industry District to B-3 General Business District. All voted in favor of the motion.

GAMBLING LICENSE AMERICAN LEGION POST 113:

Edblom moved, Stores 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 renewal of the Gambling License for the American Legion Post 113 for operation at 412 West Main Street, Marshall, Minnesota. All voted in favor of the motion.

MAYOR AND COUNCIL REPORTS:

Reports by the Mayor and Councilmembers of the various committees, commissions and boards were as follows:

- Byrnes EDA, Fire Relief Association, Regional Development Commission – No Report.
- Stores Community Services Board the summer registration was being held at this time, suggestions for next year included more computers, and express line, and a swim lesson only line.
- Edblom Cable Commission, Planning Commission, Utilities Commission, Ways and Means Committee and Personnel Committee – no report; Quarterly Employee Meeting was held on April 27. They discussed the proposed Vacation Donation Policy.
- Boedigheimer Airport Commission met last Tuesday, but was not able to attend; Jt. LEC met at 7:00 A.M. today, but was not able to attend.
- Doyle Housing Commission and Convention & Visitors Bureau have not met; Human Rights Commission minutes were distributed prior to the council meeting.
- Rowe Insurance Advisory Committee, Library Board, Legislative and Ordinance Committee have not met.
- Reynolds Hospital Board has not met; Jt. LEC indicated that the project should be complete by the end of May.

COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Councilmembers included: Minnesota West is interested in having classes at the Library; spraying of city property will be reviewed by Keith Nelson; there were questions at the quarterly employee meeting on the pay plan; Applebees has started construction – there was a concern about how low the area was – it

REGULAR MEETING – MAY 3, 1999

was indicated that this area was never intended as a holding pond; the Legislative and Ordinance Committee needs to meet and review liquor license "transfers".

CLOSED SESSION:

Rowe moved, Edblom seconded, that pursuant to MN STATUTE Sec. 471.705, Subd. 1d(e), the City Council meeting be closed at 8:05 P.M. to discuss the status of environmental issues that the city has with the U. S. Environmental Protection Agency. All voted in favor of the motion.

The City Council meeting reconvened at 8:47 P.M.

BILLS/PROJECT PAYMENTS:

Edblom moved, Doyle seconded, and it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 19584 through 19719.

BUILDING PERMITS:

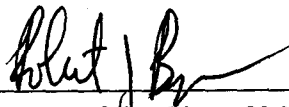
The following building permits previously approved by the Building Official were confirmed.

James & Mary Tate	904 Poplar Avenue	Install Window	\$600
Lincoln Street Partnership	1001 Dano Circle	Garage	\$34,000
Lincoln Street Partnership	1001 Dano Circle	8-Unit Apartment	\$240,000
Denny Miller Construction	305 North Hill Street	Reside Dwelling	\$6,200
Geske Building & Supply Co.	620 Elaine Avenue	Siding	\$8,300
Carol Howe	901 South 4th Street	Replace Window	\$1,600
True Value Home Center	803 Lawrence Court	Deck	\$1,500
Steve Glaeser	205 Donita Avenue	Reroof and Install Door	\$4,800
Weldon & Shirley Powelson	407 North 7th Street	Addition	\$12,000
M&M Signs	1510 East College Drive	Install Signs	\$20,000
Slagel Construction	220 West Main Street	Reside Front	\$3,800
Larson's Home Furnishings	1202 East College Drive	Interior Remodel	\$6,100
Lyon County	544 Fairgrounds Road	Reroof Barn	\$1,200
Steven Baumann Construction	801 South 2nd Street	Partial Residing	\$3,000
Steven Baumann Construction	600 Dogwood Avenue	Reside Dwelling and Construct Deck	\$8,000
Steven Baumann Construction	203 Carrow Street	Reroof Dwelling	\$2,800
Deerfield Construction Co.	1510 East College Drive	Restaurant	\$525,200
Floyd Bauer, Jr.	403 South 5th Street	Deck	\$2,200
Paxton Signs	1100 North Highway 59	Free Standing Sign	\$1,000
True Value Home Center	417 North 3rd Street	Reroof Dwelling	\$4,000
Jim & Cheryl Morgan	1401 South Saratoga Street	Reside and Reroof Dwelling, Finish Basement	\$15,000

The Wastewater Treatment Facility received a Certificate of Commendation from the Minnesota Pollution Control Agency.

REGULAR MEETING – MAY 3, 1999

Upon motion by Doyle, seconded by Rowe, the meeting was adjourned. All voted in favor of the motion.



Mayor of the City of Marshall

ATTEST:



Finance Director/City Clerk

SPECIAL MEETING/WORKSHOP MAY 17, 1999

A special meeting/workshop of the City Council was held on May 17, 1999 in the Cottonwood Room of the Marshall Municipal Building. The meeting was called to order at 6:00 P.M. by President Pro-Tem Stores. In addition to Stores the following members were present: Edblom, Reynolds, Boedigheimer and Doyle (late). Absent: Byrnes and Rowe. City Staff in attendance at the meeting included: Michael Johnson, City Administrator; and Thomas M. Meulebroeck, Finance Director/City Clerk.

The purpose of the special meeting/workshop was to allow the City of Marshall auditors Larson, Allen, Weishair and Company to make a presentation and review of the 1998 Audit Report. Thomas Koop and Todd Wicklund from Larson, Allen, Weishair and Company were introduced and they provided a presentation and answered questions and concerns on the 1998 Audit Report. Mr. Koop briefly reviewed the financial statements and letters incorporated in the audit report. The graphs that were reviewed included:

1. General Fund – Revenue vs. Expenditures vs. Fund Balance
2. General Fund – Fund Balance vs. Cash Balances
3. General Fund – 1998 Revenues by Source
4. General Fund – 1998 Expenditures by Function
5. Wastewater Treatment Facilities Fund – Sewer Charges vs. Other Operating Expenses vs. Depreciation vs. Net Income (Loss)
6. Wastewater Treatment Facilities Fund – Sales - Budget vs. Actual
7. Wastewater Treatment Facilities Fund – Operating Expenses – Budget vs. Actual
8. Municipal Liquor Fund – Sales vs. Cost of Sales vs. Operating Expenses vs. Operating Income
9. Municipal Liquor Fund – Gross Profit Percentage Comparisons from 1993-1998

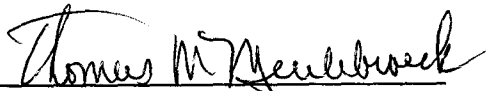
Other topics discussed included Y2K compliance and the compiling of the fixed assets and the incorporating of this information in the audit report.

The meeting/workshop was adjourned at 7:25 P.M.



President Pro-Tem

ATTEST:



Financial Director/City Clerk

REGULAR MEETING – MAY 17, 1999

The regular meeting of the Common Council of the City of Marshall was held on May 17, 1999 in the Council Chambers of the Marshall Municipal Building. The meeting was called to order at 7:30 P.M. by President Pro-Tem Stores. In addition to Stores the following members were present: Doyle, Edblom, Reynolds and Boedigheimer. Absent: Mayor Byrnes and Councilmember Rowe. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Thomas Meulebroeck, Finance Director/City Clerk; Rob Yant, Director of Public Services; Kim Jergenson, Senior Engineer Technician; and Jane DeVries, Deputy City Clerk.

The Pledge of Allegiance was recited at this time.

APPROVAL OF THE AGENDA:

It was the general consensus of the council that the agenda be approved with the addition of item 5a, which is to consider approval of the 1998 audit report.

APPROVAL OF THE MINUTES:

Doyle moved, Reynolds seconded, that the minutes of the Local Board of Review held on May 3, 1999 and the minutes of the regular meeting held on May 3, 1999 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

CONDITIONAL USE PERMIT – MICHELLE SCHAEFFER:

Upon the recommendation of the Planning Commission, Edblom moved, Doyle seconded, the approval of a five-year renewal of a Conditional Use Permit for Michelle Schaeffer for a home occupation to conduct a beauty shop business at 808 Viking Drive in an R-1 One Family Residence District. All voted in favor of the motion.

CONDITIONAL USE PERMIT – DAVID A. MEIER:

Upon the recommendation of the Planning Commission, Boedigheimer moved, Reynolds seconded, the approval of a Conditional Use Permit for David A. Meier to construct a two-family dwelling under single ownership in an R-1 One Family Residence District at 200 Elaine Avenue. Boedigheimer asked if the set back for this type of dwelling would be the same as for a single-family dwelling. Mr. Meier indicated that his intent is for the dwelling to use the same setbacks as for single family dwellings. Boedigheimer made a friendly amendment to his motion to require the set back for this dwelling to be the same as for a single family dwelling, Reynolds agreed to the amendment. All voted in favor the motion.

VARIANCE ADJUSTMENT PERMIT – JOHN MARRON:

Upon the recommendation of the Planning Commission, Boedigheimer moved, Edblom seconded, the variance adjustment requested by John Marron to construct an accessory building at 312 South 6th Street with a side yard of 2' in lieu of 5' as required by City Code be denied. Mr. Marron stated that if this building was moved over 3' it would be harder to get into the building behind his house. He also indicated that the proposed building was 28' x 28' to allow for extra storage. Councilperson Boedigheimer suggested that the building be moved back with a rear yard variance and no side yard variance. All voted in favor to deny this variance adjustment permit.

TRUCK NOISE ON LYON STREET:

Beth Weatherby, 100 West Lyon Street, was in attendance at the meeting to discuss with the council her concerns related to a persistent noise problem in the area of West Lyon Street. Ms. Weatherby indicated that refrigeration trucks routinely runble all evening and through the night and that there is truck loading and unloading in the early morning hours several times per week at the Hauge Egg Company. She indicated that this type of noise is industrial noise and not normal downtown business noise. It was indicated that the Hauge Egg Company was granted a Conditional Use Permit to operate an existing, non-conforming egg grading and wholesale business as conforming use in a B-2 General Business District on May 16, 1988 and shall run concurrently until amortization in 2004. Boedigheimer moved, Doyle seconded, that this noise concern in the 100 Block of West Lyon Street be referred to the Public Improvement/Transportation Committee meeting for further discussion with all affected parties. All voted in favor of the motion.

CITY AUDIT REPORT:

Todd Wicklund and Tom Koop, representatives from Larson, Allen, Weishair & Co., auditors for the City of Marshall reviewed with the council and others in attendance the 1998 audit report for the City of Marshall. They indicated that there were no major concerns or changes in regard to the audit. Boedigheimer moved, Edblom seconded, the City of Marshall Audit for 1998 be accepted as presented. The Auditors had met with the City Council at 6:00 P.M. on May 17, 1999 for a more detailed review of the audit report. All voted in favor of the motion.

HIRING POLICE OFFICER:

Doyle moved, Reynolds seconded, that Jason P. Buysse be promoted from a part-time police officer to a full-time police effective May 24, 1999 and paid at the rate of \$14.04 per hour. Mr. Buysse would be replacing Officer Jim Marshall, who is being assigned to the position of Marshall School Resource Officer and he would continue to be employed as long as the COPS Grant continues funding the School Resource Officer or the position is funded locally after the grant expires in three years. All voted in favor of the motion.

AUTHORIZATION FOR CITY AUCTION:

Edblom moved, Doyle seconded, the proper city personnel be authorized to make arrangements for a City auction to dispose of surplus city property. All voted in favor of the motion.

JEWETT STREET RECONSTRUCTION PROJECT 1999-002:

Bids were received, opened and read for the Jewett Street Reconstruction Project No. 1999-002/S.A.P. 139-127-01. There was only one bid received from McLaughlin & Schulz Inc., Marshall, Minnesota in the amount of \$285,347.95. Edblom moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2114, SECOND SERIES and that the reading of the same be waived. Resolution Number 2114, Second Series is a resolution Declaring the Cost to be Assessed, and Ordering Preparation of Proposed Assessment for the Jewett Street Reconstruction Project No. 1999-002/S.A.P. 139-127-01. All voted in favor of the motion.

Doyle moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2115, SECOND SERIES and that the reading of the same be waived. Resolution Number 2115, Second Series is a resolution Calling for a Hearing on the Proposed Assessment for the Jewett

REGULAR MEETING – MAY 17, 1999

Street Reconstruction Project No. 1999-002/S.A.P. 139-127-01. The hearing was set for 7:30 P.M. on June 7, 1999. All voted in favor of the motion.

DTG WATERMAIN EXTENSION PROJECT 1999-003:

Boedigheimer moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2116, SECOND SERIES and that the reading of the same be waived. Resolution Number 2116, Second Series is a resolution Receiving the Report and Ordering Improvement and Preparation of Plans for the DTG Watermain Extension Project No. 1999-003. All voted in favor of the motion.

TRANSIENT MERCHANTS LICENSE:

Edblom moved, Reynolds seconded, the approval of a transient merchant's license for The Country Stop, Inc., to sell fresh produce in the parking lot of the Dairy Queen on East College Drive. The fee for this license is \$250.00 and it will expire on December 31, 1999. All voted in favor of the motion.

ON-SALE NON-INTOXICATING BEER LICENSE:

Edblom moved, Reynolds seconded, the approval of an on-sale non-intoxicating beer license for the Marshall Baseball Association. This license is for the period May 17, 1999 through September 15, 1999 at a fee of \$100.00. All voted in favor of the motion.

TEMPORARY LOAN CORPS OF ENGINEER'S PROJECT:

Doyle moved, Reynolds seconded, the approval of a temporary loan to cover the expenses incurred on the Corp of Engineers Project. The temporary loans will be made to Fund 481, Corp of Engineers Project at a rate of 4.50%, as follows:

Municipal State Aid Revolving Fund - \$175,000 on 5/19/99

General Fund - \$100,000 on 5/19/99

Municipal State Aid Revolving Fund - \$125,000.00 on 6/9/99

All voted in favor of the motion.

VACATION DONATION POLICY:

Edblom moved, Reynolds seconded, the adoption of the Vacation Donation Policy. This policy allows employees to voluntarily donate a portion of their accrued vacation balance to be converted to cash to financially assist another employee who has exhausted sick leave, vacation and holiday hours due to his/her extended illness or disability or that of a member of his/her immediate household. All voted in favor of the motion.

OUT OF STATE TRAVEL:

Doyle moved, Reynolds seconded, out-of-state travel be approved for City Administrator, Michael Johnson, to attend the International City Management Association (ICMA) annual conference in Portland, Oregon on September 26-29, 1999. All voted in favor of the motion.

MAYOR AND COUNCIL REPORTS:

Reports by the Mayor and Councilmembers of the various committees, commissions and boards were as follows:

Stores Community Services Advisory Board discussed the summer registration and changes that will be implemented for next year; Jt. Ice Facility Board met last

REGULAR MEETING – MAY 17, 1999

week there is now soccer turf at the arena, the board needs to hold quarterly meetings; Marshall Action Plan Task Force met last Friday they addressed the need to continue to attract and keep employees in the City of Marshall.

Edblom Cable Commission will meet next week; Planning Commission, and Personnel Committee items were discussed earlier in the meeting; Utilities Commission will meet on Tuesday; Ways and Means Committee was not able to attend meeting.

Boedigheimer Public Improvement Transportation Committee was held on May 11, 1999 - they discussed the Airport drainage issue. It was determined that it is a city problem and they requested Keith Nelson to come up with 3 or 4 options to correct this problem. They also discussed the Storm Sewer problem in the area of Horizon Drive and Skyline Drive.

Doyle Housing Commission minutes are included in the agenda packet; Convention and Visitors Bureau March minutes are included in the agenda packet; Transit Committee will meet next week.

Reynolds Hospital Board held a meeting to discuss their long range planning – these minutes are included in the agenda packet.

COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Councilmembers included: a letter from US Bank in regard to water drainage concerns – this will be discussed by the Public Improvement Committee; the number of members on the Planning Commission needs to be reviewed – there are 3 members who terms expire; it was requested that the City receive an annual report from the County on recycling; recycling bins will be placed in the parks by June 1st; the dog license ordinance needs to be reviewed; and it was suggested that the developer be allowed to determine the type of curb in new subdivisions.

REVIEW OF PENDING AGENDA ITEMS:

A question was raised in regard to the start of Stage 2 construction of the Corp project.

BILLS/PROJECT PAYMENTS:

Edblom questioned a payment to Mr. Yant in the amount of \$421.40 for cookies. Thomas M. Meulebroeck, Finance Director/City Clerk, stated that the check was for several expense claims and description on the report only indicated cookies, which is only a small portion of the total check. Edblom moved, Doyle seconded, and it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE: Voucher No. 19720 through 19950.

BUILDING PERMITS:

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

Hisken Construction & Handiman Service	308 South 6th Street	Repair Roof	\$1,500
Doom & Cuypers, Inc.	1100 West Main Street	Warehouse	\$65,000

REGULAR MEETING – MAY 17, 1999

Slagel Construction	614 West Thomas Avenue	Family Room Addition and Interior Remodeling	\$17,000
Mike Buysse Construction	905 Elaine Avenue	Deck	\$2,000
George J. Jacob Construction	105 North "A" Street	Move Out Garage	\$0
George J. Jacob Construction	107 North "A" Street	Move In Garage	\$4,000
True Value Home Center	1004 Birch Street	Demolish Garage	\$0
True Value Home Center	1004 Birch Street	Detached Garage	\$19,600
Geske Building & Supply Co.	106 Circle Drive	Reside Dwelling	\$9,300
Patrick Maxwell	407 North 4th Street	Garage Addition	\$2,000
Paxton Signs	1002 West Main Street	Sign	\$1,000
Marcia Bowman	106 Maple Street	Remodel Porch	\$2,000
Geske Building & Supply Co.	800 South 2nd Street	Install Window	\$3,000
Vision Interiors	1420 East College Drive	Remodel Retail Space	\$7,500
The Country Stop	1206 East College Drive	Temporary Structure	\$0
Doom & Cuypers, Inc.	114 North 3rd Street	Install Windows	\$1,200
Charles J. Tomasek	320 Timberlane Drive	Reroof Manufactured Home	\$1,000
David & Rebecca Johnson	311 South 1st Street	Kitchen Remodel	\$4,500
French Construction	605 West Thomas Avenue	Install Window	\$1,200
Kenneth & Roxanne Moon	303 South Whitney Street	Porch	\$4,000
Arlene Rencher	316 Simmons Avenue	Reroof Dwelling	\$1,100
True Value Home Center	500 North Highway 59	Demolish Loading Chute	\$0
REM, Incorporated	1005 North 4th Street	Interior Remodel	\$900
REM, Incorporated	1003 North 4th Street	Interior Remodel	\$900
REM-Southwest Services, Incorporated	206 Carrow Circle	Interior Remodel	\$5,000
Joel & Kristin Collins	220 Ash Drive	Deck	\$400
True Value Home Center	201 Stephen Avenue	Dwelling	\$95,000
Johnson Construction	904 Columbine Drive	Reside Dwelling	\$1,800
George A. Mercie	815 Boxelder Avenue	Reroof Garage	\$400
Jaime Hernandez	904 West Main Street	Front Entry	\$2,500

Reynolds moved, Edblom seconded, that the meeting be adjourned. All voted aye.

Maurer Stores

 President Pro-Tem

ATTEST:

Thomas M. Newbuck

Financial Director/City Clerk

SPECIAL MEETING – MAY 28, 1999

A special City Council meeting was called to order at 12:08P.M. by Mayor Byrnes. The meeting was held in conjunction with the Marshall Municipal Utilities Commission on May 28, 1999 in the meeting room of the Marshall Municipal Utilities, 113 South 4th Street. In addition to Byrnes the following city council members were in attendance at the meeting: Rowe, Edblom, Reynolds and Boedigheimer. Members arriving late were Stores at 12:25 P.M. and Doyle at 12:30 P.M. City staff in attendance at the meeting were: Brian Murphy, City Attorney; and Thomas Meulebroeck, Financial Director/City Clerk. Marshall Municipal Utilities Commission Chairperson Babcock called the commission meeting to order. In addition to Babcock the following commission members were in attendance at the meeting: DeCramer and Baun. Commission Member Purrington arrived at 12:35 P.M. Municipal Utilities staff in attendance at the meeting were: Greg Sherman, General Manager; and Joni Livingston, Secretary.

Mayor Byrnes stated that the purpose of this special meeting was to discuss the proposed settlement of the lawsuit between the Marshall Municipal Utilities and the Heartland Consumers Power District. Mayor Byrnes declared the special meeting closed pursuant to Minnesota Statutes 471.705 (Subd. 1a). During the closed session a telephone conference was held with Mike May, Attorney for the Marshall Municipal Utilities to discuss the proposed settlement.

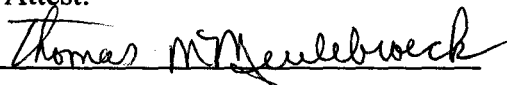
Rowe moved, Boedigheimer seconded, to go out of the closed session and return to the meeting. All voted in favor of the motion.

Upon motion made by Rowe and seconded by Reynolds, the meeting was adjourned at 1:03 P.M. All voted in favor of the motion.



Mayor

Attest:



Financial Director/City Clerk

The regular meeting of the Common Council of the City of Marshall was held on June 7, 1999 in the Council Chambers of the Marshall Municipal Building. The meeting was called to order at 7:38 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Reynolds, Doyle, Stores, Edblom and Rowe. Absent: Boedigheimer. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Keith Nelson, Director of Public Works/City Engineer; Thomas M. Meulebroeck, Finance Director/City Clerk; Kim Jergensen, Senior Engineer Technician; and Jane DeVries, Deputy City Clerk.

The Pledge of Allegiance was recited at this time.

APPROVAL OF THE AGENDA:

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

APPROVAL OF THE MINUTES:

Doyle moved, Rowe seconded, that the minutes of the special meeting held on May 17, 1999, the regular meeting held on May 17, 1999 and the special meeting held on May 28, 1999 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

PUBLIC HEARING:

This was the date and time set for the public hearing on the Jewett Street Reconstruction Project No. 1999-002/S.A.P. 139-127-01. This project consists of the reconstruction of the street surfacing of Jewett Street from Lyon Street to T.H. 19. Al Kruse, 404 Jewett Street, was concerned about the amount to be assessed. The amount that will be assessed to the property owners is similar to a residential street of 4 ½" Class 5 gravel and 3 ½" of bituminous, plus the tack coat. The total amount to be assessed is \$118,000 and is based on the linear feet of property abutting Jewett Street. It was indicated that accesses would be provided at all times to the handicap housing unit and that the other properties along Jewett Street will not always have access to their property. This project will not be completed by the time school starts this fall. Rowe moved, Reynolds seconded, the public hearing be closed. All voted in favor of the motion.

Doyle moved, Rowe seconded, the adoption of RESOLUTION NUMBER 2117, SECOND SERIES and that the reading of the same be waived. Resolution Number 2117, Second Series is a resolution adopting the assessment for Jewett Street Reconstruction Project No. 1999-002/S.A.P. 139-127-01. This resolution allows for the assessment to be paid over 8 years at an interest rate of 8%. All voted in favor of the motion.

REIMBURSEMENT OF EXPENDITURES WITH PROCEEDS OF TAX-EXEMPT BONDS:

Rowe moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2118, SECOND SERIES and that the reading of the same be waived. Resolution Number 2118, Second Series is a resolution Declaring Intent of Reimbursement of Expenditures with the Proceeds of Tax-Exempt Bonds. All voted in favor of the motion.

ALARM SERVICES – MMU:

Greg Sherman, Manager Marshall Municipal Utilities, was in attendance at the meeting to request authorization to operate a monitoring/alarm utility. MMU proposes to take over the

REGULAR MEETING – JUNE 7, 1999

current operation from T Eric Enterprises. MMU would provide the service at not-for-profit rates. There was a concern about the liability and that they should check with their insurance in regard to this. Edblom moved, Doyle seconded, that MMU be allowed to provide monitoring/alarm services for those existing customers. All voted in favor of the motion.

ED CAIN, LAI – END OF SESSION LEGISLATIVE REPORT:

Ed Cain, representative from Legislative Associates Inc., was in attendance at the meeting to briefly review the bills passed by the Legislature this session. The Marshall Emergency Response and Industrial Center (MERIT) has received \$400,000 of the \$620,000 requested and the City of Marshall received authorization to issue an additional four on-sale liquor licenses.

FINAL PLAT – LYON COUNTY CO-OP ADDITION:

Rowe moved, Edblom seconded, the adoption of RESOLUTOIN NUMBER 2119, SECOND SERIES and that the reading of the same be waived. Resolution Number 2119, Second Series is a resolution Approving the Final Plat of Lyon County Co-op Addition. This plat was approved with the addition of the dedication paragraph as requested by City Attorney Brian Murphy. The dedication paragraph after the legal description should read as follows:

“Having caused the scene to be surveyed and platted as LYON COUNTY CO-OP ADDITION, and to hereby donate and dedicate to the public for public use forever all utility and drainage easements as shown on this plat, and also dedicate to the public for public use forever a utility easement on, under, and across Outlots B and C, as shown on this Plat. Outlots B and C are to be used as a private roadway for Lots 1-5 of this plat, in addition to the use of said Outlots for public utilities.”

All voted in favor of the motion.

HAZARD MITIGATION GRANT – LIVING SNOW FENCE:

Stores moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2120, SECOND SERIES and that the reading of the same be waived. Resolution Number 2120, Second Series is a resolution Authorizing Execution of Sub-Grant Agreement. The grant amount of \$9,300 plus \$3,000 of matching money will be used to purchase trees for planting this fall and next spring. The Lyon County Soil & Water Conservation Services will provide assistance in selection and planting of trees. All voted in favor of the motion.

BIDS FOR TRUCK FOR STREET DEPARTMENT:

Edblom moved, Stores seconded, the proper city personnel be authorized to advertise for bids for a 29,000 G.V.W. truck chassis and conveyer-bottom box for the Street Department. All voted in favor of the motion.

DEVELOPMENT AND DESIGN OF MADRID ROAD INDUSTRIAL PARK:

Stores moved, Doyle seconded, the proper city personnel be authorized to execute Amendment No. 1 to the Agreement for Professional Services with Bolton & Menk, Inc., in the amount of \$14,590. This agreement provides for Bolton & Menk, Inc., to make the following revisions: relocation of the storm sewer outlet, alternate sanitary sewer layout, and minimal construction of roadways and landscaping. At the completion of the revised project, four industrial lots will be available for sale and Madrid Road will extend to the Channel Parkway. The sanitary sewer will be extended to the southern edge of the Softball complex for possible

future extension into the Airport properties. Tax Increment money will be used to pay for this. All voted in favor of the motion.

HORIZON DRIVE/SKYLINE DRIVE STORM SEWER:

A discussion was held at this time on utilizing the remaining available funds from the Ditch 62 Project to upgrade the storm sewer in the area of Horizon Drive and Skyline Drive. Bruce Firkins from Bolton & Menk, Inc., was in attendance at the meeting to review the various alternatives and costs. There was some concern in regard to using the remaining funds just because they are available. Rowe moved, Doyle seconded, that the grant for the Ditch 62 Project be closed and any remaining funds be returned. All voted in favor of the motion.

A 5-minute recess was taken at this time.

COUNTY ZONING ACTION:

Keith Nelson, Director of Public Works/City Engineer, reviewed with the Council the two matters that the County Planning Commission will be discussing. The first request is from Jay Bossuyt to construct more than one non-farm residence per 40-acre tract of land. It is not anticipated that this will affect the near future land use of the City of Marshall.

The second request is to allow the construction of mini-storage buildings contiguous to the current city limits on land owned by Susan Doty. The Comprehensive Plan does not address the proposed land use of this parcel, but it is surrounded by R-1 single family residence district. There was discussion concerning the fact that the Comprehensive Plan for the City of Marshall does not address area outside the City of Marshall. Rowe moved, Stores seconded, that the City of Marshall inform the Lyon County Planning Commission that they object to the construction of mini-storage units on the proposed property owned by Susan Doty due to the need to consider annexation, platting and zoning consistent with adjoining uses. All voted in favor of the motion, except Byrnes and Reynolds who voted no.

OUT-OF-STATE TRAVEL:

Stores moved, Edblom seconded, out-of-state travel be approved for Jim Marshall to attend the 40-hour Basic School Resource Officer Course in Kansas City, Missouri from June 7-11, 1999. City Administrator Mike Johnson indicated that Jim Marshall left prior to approval due to the fact that there were three weeks between council meetings and that this course will provide the necessary skills to Jim as the School Resource Officer. The Marshall School District will reimburse the City of Marshall for the \$395 registration fee. All voted in favor of the motion.

Doyle moved, Stores seconded, the approval of out-of-state travel for Keith Nelson, Director of Public Works/City Engineer, to attend the 1999 APWA international Works Congress and Exposition in Denver, Colorado from September 19-22, 1999. All voted in favor of the motion.

MINNESOTA LAWFUL GAMBLING EXEMPT PERMIT:

Stores 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 Exempt Permit –LG 220 for the Marshall Area Youth Baseball Association to be used at the American Legion Baseball Field, West College Drive, Marshall,

REGULAR MEETING – JUNE 7, 1999

Minnesota on Monday, September 6, 1999 and that the 30 day waiting period be waived. All voted in favor of the motion.

SPECIAL VEHICLE LICENSES:

Stores moved, Doyle seconded, the approval of two Special Vehicle Licenses for Michael Boedigheimer. These permits will expire on December 31, 1999 and the fee for these permits was waived. All voted in favor of the motion.

APPOINTMENTS TO BOARDS AND COMMISSIONS:

Byrnes moved, Doyle seconded, and it was unanimously approved that the following people be appointed to the various boards and commissions:

- Airport Commission Don Bartz be reappointed for a 3-year term to expire on May 31, 2002, and Lee VanDenBroeke be appointed for a 3-year term to expire on May 31, 2002.
- Cable Commission Randal Drager be appointed for a 3-year term to expire on May 31, 2002.
- EDA Michael Dulas be appointed for a 6-year term to expire on May 31, 2005.
- Hospital Board Shelly Hilton be appointed for a 5-year term to expire on May 31, 2004.
- Housing Commission Jeff Gunvalson be appointed for a 5-year term to expire on May 31, 2004.
- Human Rights Commission Dwayne Green be appointed for a 3-year term to expire on May 31, 2002, DeAnna Sweeney be appointed for a 1-year term to expire on May 31, 2000, and June Nichols be appointed for a 2-year term (vacated due to the resignation of Eileen VanWie effective 6-1-99) to expire on May 31, 2001.
- Planning Comm. Brian Brandt, Stephen Bareis and MaryLou Harthun be appointed to 3-year terms each to expire on May 31, 2002.
- Police Civil Service Ali Jaffery be reappointed to a 3-year term to expire on May 31, 2002.
- Senior Citizen Center Lynn Barteck be reappointed to a 3-year term to expire on May 31, 2002, and Shirley Anderson-Porisch be appointed to a 3-year term to expire on May 31, 2002.
- Utilities Comm. James Babcock be reappointed to a 5-year term to expire on May 31, 2004.

NIGHTCAP TRAFFIC SAFETY GRANT:

Rowe moved, Doyle seconded, the proper city personnel be authorized to receive a grant from the State of Minnesota, Department of Public Safety to provide reimbursement for work done on the NIGHTCAP Traffic Safety Detail which was held on Saturday, June 5, 1999. This grant would be for reimbursement for the officer's overtime rate and benefits up to \$700. This grant would also allow the

REGULAR MEETING – JUNE 7, 1999

city to keep a new digital field breath analyzer (PBT) provided by the Highway Patrol that is worth approximately \$500. All voted in favor of the motion.

PURCHASE FIREWORKS:

Stores moved, Rowe seconded, the approval of an application for Community Services to buy fireworks for display purposes on July 4, 1999 at Independence Park. Community Services will be making arrangements with the Marshall Volunteer Fire Department for the fireworks display. All voted in favor of the motion.

MAYOR AND COUNCIL REPORTS:

Reports by the Mayor and Councilmembers of the various committees, commissions and boards were as follows:

- Byrnes EDA will meet on Tuesday; Regional Development Commission will meet on Wednesday
- Stores Community Services Advisory Board held their annual meeting last week and toured their facilities
- Edblom Cable Commission will meet next Wednesday; Planning Commission will meet on Wednesday; Utilities Commission will meet in two weeks; Ways and Means Committee the City of Marshall needs to remit to the chamber 25% of the donations received for the "Go for the Glow" and the city will be responsible for the insurance, storage and on-going maintenance of these decorations. They also discussed alternative revenue sources as it relates to potential franchise fees from Weiner Memorial Medical Center and Great Plains Natural Gas Co.
- Doyle Housing Commission and Convention & Visitors Bureau will meet in the next week; Human Rights Commission and Transit Committee will be meeting in the next few weeks.
- Rowe Insurance Advisory Committee, Library Board and Legislative & Ordinance Committee have not met.
- Reynolds Hospital Board will meet on June 21st; Jt. LEC the county staff completed their walk through and the Police department should be moving in mid July with operation to being by August 1, 1999.

COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Councilmembers included: MNWest would not be using the Library for office space; water ponding is occurring on Adobe Road; the Jt. LEC will be meeting when the facility is complete; there was a concern about people walking, roller blading or riding bike and hitting holes in the road; the birds are back in the downtown area; DTG is installing cable in the City of Marshall; a question was raised on whether or not the police can patrol Highway 23 by-pass; the Legislative and Ordinance Committee needs to review the number of planning commission members; the Cable Commission needs to discuss the Public Access Channel since there will be 2 cable companies in the City of Marshall.

REVIEW OF PENDING AGENDA ITEMS:

MERIT will meet on June 16, 1999 and the personnel committee needs to meet and discuss the classification of the Division Heads.

BILLS/PROJECT PAYMENTS:

Edblom moved, Doyle seconded, and it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 19951 through 20095.

BUILDING PERMITS:

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

Tom Blomme	503 Williams Street	Addition to Dwelling	\$10,000
Kesteloot Construction, Inc.	309 Jean Avenue	Reside Dwelling and Install Windows	\$11,400
Steve Otto	410 Kossuth Avenue	Reroof, Reside, Install Windows, Replace Step	\$6,000
Dennis Labat	502 Elaine Avenue	Reside Dwelling	\$4,800
Denny Miller Construction	200 Sunrise Lane	Reside Dwelling	\$4,200
Mark & Melinda Buss	1500 Westwood Drive	Reroof	\$1,300
Dennis Lozinski	1300 Charles Avenue	Reroof Dwelling	\$4,300
Dennis Lozinski	806 Nuese Lane	Reroof Dwelling	\$3,500
Dennis Lozinski	110 George Street	Reroof Dwelling	\$3,100
Johnson Construction	506 Lynd Street	Replace Doors	\$500
Weldon & Shirley Powelson	407 North 7th Street	Deck	\$2,000
Robert J. Otterson	1205 Prospect Road	Finish Basement	\$4,000
Tate Doom	309 North 7th Street	Demolish Garage	\$0
Tate Doom	309 North 7th Street	Garage	\$4,300
James Lozinski	910 Boxelder Street	Replace Windows	\$2,800
Mary E. Doom	700 East Main Street	Demolish Chimney, Remodel Roof and Wall	\$200
True Value Home Center	701 Parkside Drive	Sunroom Addition and Garage Addition	\$22,000
Bill Meyer	719 Marguerite Avenue	Storage Shed	\$500
Babcock Construction	103 North 6th Street	Install Window	\$600
LeRoy Jolstad	604 DeSchepper Street	Storage Shed	\$3,200
Geihl Construction	1101 South 1st Street	Dwelling	\$282,200
True Value Home Center	1220 Patricia Court	4-Unit Apartment	\$185,000
Steven Baumann Construction	1209 Prospect Road	Reroof Dwelling	\$3,400
Kesteloot Construction, Inc.	128 "E" Street	Reroof Dwelling	\$2,900
Floyd Wilmes	412 South 1st Street	Reside Dwelling	\$4,500
Plaas, Inc.	Student Center / 1501 State Street	Chiller Replacement	\$158,000
Tom Nichols	504 West Lyon Street	Remodel Attic	\$3,000
RoseAdele Turner	305 North 7th Street	Addition	\$40,000
True Value Home Center	504 West Saratoga	Reroof	\$7,000

REGULAR MEETING – JUNE 7, 1999

George J. Jacob Construction	105 North "A" Street	Dwelling Addition and Garage Addition	\$35,000
Brian & Linda Onken	203 George Street	Deck	\$1,200
James & Cheryl Lindeman	711 North 4th Street	Reroof Dwelling	\$2,500
True Value Home Center	1004 Woodfern Drive	Garage Addition	\$10,800
James & Nancy Taveirne	1215 Horizon Drive	Exterior Remodel and Install Doors	\$3,000
Randall Hess	601 North Highway 59	Office Remodeling	\$2,000
Daniel & Maureen Stores	419 West College Drive	Deck	\$3,700
Harriet Tholen, c/o Robert J. Tholen	103 South 11th Street	Office Remodeling	\$8,000
Edward & Eve Wyffels	406 North 5th Street	Demolish Garage	\$0
Robert L. Carr Co.	800 East Main Street	Finish Interior	\$20,000

Reynolds moved, Stores seconded, that the meeting be adjourned. All voted aye.


Mayor of the City of Marshall

ATTEST:


Financial Director/City Clerk

SPECIAL MEETING – JUNE 8, 1999

A special meeting of the Common Council of the City of Marshall was held on June 8, 1999 in the meeting room of the Marshall Municipal Utilities. The meeting was called to order at 6:10 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Doyle, Rowe, Edblom, Reynolds and Stores. Absent: Boedigheimer. Staff present included: Michael Johnson, City Administrator; Keith Nelson, Director of Public Works/City Engineer; Calvin Barnett, City Assessor; Jane DeVries, Deputy City Clerk; and Harry Weilage, Director of Community Services arrived late.

The purpose of this special meeting was to continue the discussion regarding community growth/development issues and concerns. Priorities were set for these issues and concerns are as follows:

Keith Nelson, Director of Public Works/City Engineer:

Issue/Concern	Priority
1. Housing Solutions	Medium
2. Annexation/Planning/Zoning	High
3. Wastewater Treatment Facility	Low
4. Staff Reorganization	None
5. Airport Improvements	None
6. Industrial Park Development	High
7. Flood Control	High
8. Bridges	Medium
9. Ditch 62 – Phase III	Low
10. Stop light – “C” Street	Medium

Harry Weilage, Director of Community Services:

Issue/Concern	Priority
1. Community Center	High
2. Downtown Park	High
3. Cable TV Franchise Renewal	Medium

Some important items for the Cable Commission to be concerned with are:

- Public Access for two cable franchise's
- Fairness to each franchise
- No duplication of services provided by each franchise

Calvin Barnett, Director of General Services/City Assessor:

Issue/Concern	Priority
1. Municipal Building Remodeling	High
2. Downtown Redevelopment	Medium
3. Small Cities Grant	Low
4. Community Development	Varies

SPECIAL MEETING – JUNE 8, 1999

5. Expand the Liquor Store

None

Rob Yant, Director of Public Safety:

Issue/Concern

Priority

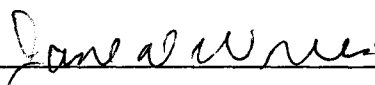
- | | |
|--|-----------------|
| 1. Lyon County Law Enforcement Center | High |
| 2. Police Department/School District Partnership | Medium |
| 3. Substance Abuse/Gang Activity in Marshall | High |
| 4. Marshall Emergency Response and Industrial Center (MERIT) | Medium Training |

Other items brought forth were: the Dutch Elm Disease Program for this to be implemented there needs to be an updated tree policy and money budgeted. Mayor Byrnes indicated that there was a request for Marshall to become a sister city with Sahassou, Ivory West, Africa.

The meeting was adjourned at 9:00 P.M.



Mayor of the City of Marshall



Deputy City Clerk

REGULAR MEETING – JUNE 21, 1999

The regular meeting of the Common Council of the City of Marshall was held on June 21, 1999 in the Council Chambers of the Marshall Municipal Building. The meeting was called to order at 7:30 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Doyle, Rowe, Edblom, Reynolds, Boedigheimer and Stores. Absent: none. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Thomas Meulebroeck, Finance Director/City Clerk; Kim Jergensen, Senior Engineer Technician and Jane DeVries, Deputy City Clerk.

The Pledge of Allegiance was recited at this time.

APPROVAL OF THE AGENDA:

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

APPROVAL OF THE MINUTES:

Doyle moved, Stores seconded, that the minutes of the regular meeting held on June 7, 1999 and the special meeting held on June 8, 1999 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

CONDITIONAL USE PERMIT – DUANE ANDERSON:

Per the recommendation of the Planning Commission, Edblom moved, Rowe seconded, a Conditional Use Permit for a Home Occupation be approved for Duane J. Anderson to conduct an accounting and business consulting business in an R-1 One Family Residence District at 1303 Westwood Drive. All voted in favor of the motion.

VARIANCE ADJUSTMENT PERMIT – DONALD BARTZ:

Per the recommendation of the Planning Commission, Stores moved, Doyle seconded, a Variance Adjustment Permit be approved for Donald Bartz to construct a warehouse with a rear yard of 10 ft. in lieu of 25 ft. as required by the Zoning Ordinance in an I-2 General Industrial District at 712 West College Drive. All voted in favor of the motion.

VARIANCE ADJUSTMENT PERMIT – DOUG HAMILTON:

Discussion was held at this time in regard to the request of Doug Hamilton to construct an attached garage with a side yard of 1 ft. in lieu of 5 ft. as required by the Zoning Ordinance. This request was denied by the Planning Commission on the basis that there is ample property on which to construct a single-stall garage respecting setbacks and conforming to the character of the locality. Stores stated that without a drawing of the request it is difficult to determine what the options are. It was indicated that the Planning Commission discussed the possibility of a smaller garage. Mr. Hamilton indicated that this was a possibility. Stores moved, Reynolds seconded, a Variance Adjustment Permit be approved for Doug Hamilton to construct an attached garage with a side yard of 4 ft. in lieu of 5 ft. as required by the Zoning Ordinance in an R-1 One Family Residence District at 1401 Parkside Drive. All voted in favor of the motion.

REZONE 1400 EAST LYON STREET:

Upon the recommendation of the Planning Commission, Doyle moved, Rowe seconded, the introduction of an ordinance to rezone 1400 East Lyon Street from B-1 Limited Business District to B-3 General Business District and that a public hearing be set for 7:30 P.M. on Tuesday July 6, 1999. All voted in favor of the motion.

REGULAR MEETING – JUNE 21, 1999

PRELIMINARY PLAT – MALL STREET ADDITION:

Upon the recommendation of the Planning Commission, Boedigheimer moved, Stores seconded, the introduction of the Preliminary Plat of Mall Street Addition. A public hearing was set for 7:30 P.M. on Tuesday, July 6, 1999 to consider the preliminary plat. All voted in favor of the motion.

DTG WATERMAIN EXTENSION:

Edblom moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2121, SECOND SERIES and that the reading of the same be waived. Resolution Number 2121, Second Series is a resolution Approving Plans and Specifications and Ordering Advertisement for Bids for Project 1999-003, DTG Watermain Extension. All voted in favor of the motion.

ANNEXATION OF CITY-OWNED PROPERTY:

It was the general consensus that the annexation of city owned property be postponed until the next regular council meeting. The proper city personnel were asked to provide a list of the property outside of the city limits that receive city services.

CHANGE ORDER – 1998-003 MICHIGAN ROAD INDUSTRIAL PARK:

Doyle moved, Stores seconded, the approval of Change Order no. 2 for Project No. 1998-003 – Michigan Road Industrial Park Expansion. This change order provides for the contract price to be increased by \$34,055. This increase is due to additional fill material that was needed for the construction of the referenced project due to the expansion of area for the MMUA training facility. Concrete work and drainage work was also required. All voted in favor of the motion.

HOLIDAY DECORATIONS AND SUMMER BANNER PROEJCT:

Upon the recommendation of the Ways and Means Committee, Stores moved, Edblom seconded, the City of Marshall pay the Chamber of Commerce the committed 25% of the donations received through March 3, 1999 of \$14,771.81, with the understanding that the City will remit to the Chamber 25% of the donations received for the “Go for the Glow” project through October 1, 1999. This will be paid from the “429” Revolving Fund. All voted in favor of the motion.

Upon the recommendation of the Ways and Means Committee, Boedigheimer moved, Rowe seconded, The City of Marshall accept the donation from the Chamber of Commerce for the holiday decorations and summer banners. By accepting this donation the City of Marshall agrees to be responsible for the insurance, storage, and on-going maintenance of these decorations. All voted in favor of the motion.

Upon the recommendation of the Ways and Means Committee, Rowe moved, Edblom seconded, that the proper city personnel continue discussions with Great Plains Natural Gas on a 3% franchise fee based on gross revenues. All voted in favor of the motion. Discussion will also continue with WPMC on a possible franchise fee.

SPECIAL VEHICLE PERMIT – MARSHALL MUNICIPAL UTILITIES:

Per the recommendation of Brian Murphy, City Attorney, the application for a special vehicle permit for the Marshall Municipal Utilities was deleted from the agenda.

REGULAR MEETING – JUNE 21, 1999

HIRE PART-TIME POLICE OFFICER:

Upon the recommendation of Director of Public Safety Robert Yant, Boedigheimer moved, Rowe seconded, that Chad E. Dietz be employed as part-time Police Officer with the City of Marshall at the rate of \$10.36 effective June 22, 1999. The following resolution was adopted: BE IT RESOLVED that Chad E. Dietz be a duly appointed, qualified and acting part-time police officer for the City of Marshall, Minnesota, possessing the power of arrest by warrant and otherwise and other authority generally conferred upon and possessed by the Municipal Police Officers in Minnesota with the specific duty of enforcing the laws of the State of Minnesota and the ordinances of the City of Marshall in apprehending violators thereof and engaging in the hazards 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.

MAYOR AND COUNCIL REPORTS:

Reports by the Mayor and Councilmembers of the various committees, commissions and boards were as follows:

Byrnes No report.

Stores No report.

Edblom Ways and Means Committee and Personnel Committee need to set dates for meetings.

Boedigheimer Airport Commission meeting was cancelled; Senior Citizen Center Commission held a meeting, but was unable to attend; Lyon County Enterprise met in Taunton two weeks ago; Public Improvement/Transportation Committee discussed the drainage issue.

Doyle Housing Commission minutes are included in the agenda packet.

Rowe Library Board the Teen reading program is underway; the new lights project is complete and a new boiler has been ordered; Minneota is considering becoming a member of the Plum Creek Library System; Stores and Rowe have been appointed to work on the budget; Legislative & Ordinance Committee continues to discuss the dog ordinance, discussed reducing the number of members of the Planning Commission from 9 to 7, and the draft copy of the codification of the City Code book should be complete in 3 to 4 months; MERIT will meet on Wednesday.

Reynolds Hospital Board held elections – Randy Serreyn is Chair and Joe Cool is Co-Chair.

COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Councilmembers included: Michael Johnson has been appointed President of the Rotary Club; a City Planner needs to be

REGULAR MEETING – JUNE 21, 1999

considered; Schwans contributed to the Arts Center; trees along the sidewalks should be trimmed; sump pump hoses should not be on the sidewalks; the gate should be removed from Liberty Park and curb installed; the Y2K update meeting will be televised; Y2K insurance needs to be reviewed and it was suggested that there be hanging flower baskets along the street.

BILLS/PROJECT PAYMENTS:

Edblom moved, Stores seconded, and it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 20096 through 20327.

BUILDING PERMITS:

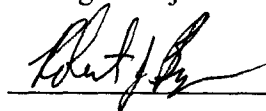
The following building permits previously approved by the Building Official were confirmed.

Mark & Laura Steen	504 Jewett Street	Install Windows	\$600
Edward Knutson	1314 Horizon Drive	Partial Reside and Install Door	\$2,500
David & Judith Wallerich	1009 Hackberry Drive	Deck and Install Door	\$1,200
Bladholm Construction, Inc.	804 West College Drive	Warehouse	\$28,900
Curt VanOverbeke	1200 West Main Street	Sign	\$1,300
French Construction	605 West Thomas Avenue	Install Closet	\$500
Edward & Eve Wyffels	406 North 5th Street	Garage	\$14,000
Michael Phillippe	402 North 5th Street	Reside Dwelling, Install Windows, Deck	\$3,700
Geske Building & Supply Co.	313 North Whitney Street	Reside Dwelling	\$7,100
True Value Home Center	821 West Main Street	Partial Reroof	\$3,000
Hisken Construction & Handiman Service	913 Pine Street	Reroof Dwelling	\$3,500
Babcock Construction	109 "F" Street	Install Window	\$600
Darrel & Karen Wiener	219 North High Street	Construct Garage and Reroof Dwelling	\$18,800
Misti Truman	301 Timberlane Drive	Entry Steps	\$400
Brad Knutson	1217 East College Drive	Remodel Retail Store	\$139,800
Randall Hess	601 North Highway 59	Reroof	\$5,500
Vicky Baumann	509 Lynd Street	New Door	\$250
Peter & Karin Lee	508 Hudson Avenue	Interior Remodel	\$700
Lloyd Ness	308 North Whitney Street	Utility Shed	\$1,000
LeWayne Carlson	210 South Whitney Street	Reroof Dwelling	\$2,800
Debra Griebel, CPA	103 South 4th Street	Reroof Mansard	\$300
June Hess Estate/Owen Hess	416 North High Street	Reroof	\$2,900
Leon E. VanDenBroeke, Jr.	600 North Minnesota Street	Finish Basement & Install Fireplace	\$4,000
Kesteloot Construction, Inc.	713 South Bend Avenue	Reroof Dwelling	\$3,000
Ken's Karpentry & Krafts	1209 Patricia Court	Deck	\$2,000
Owen & Avon Hess	129 "F" Street	Reroof Dwelling	\$2,900
Dennis Lozinski	104 East Greeley Street	Reroof Dwelling	\$500
Johnson Construction	112 Circle Drive	Replace Doors	\$1,000

REGULAR MEETING – JUNE 21, 1999

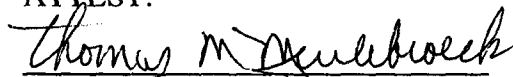
Peter B. Labat	300 "G" Street	Deck	\$1,200
Henle Printing Co.	208 West Main Street	Erect Two Signs	\$500
Steven Baumann Construction	302 Robert Street	Partial Reroof	\$1,100
Dennis Lozinski	122 "E" Street	Reroof Dwelling	\$3,000
Jon & Jennifer Hansen	210 Ash Drive	Manufactured Home Installation	
Misti Truman	301 Timberlane Drive	Manufactured Home Installation	

Stores moved, Reynolds seconded, that the meeting be adjourned. All voted aye.



Mayor of the City of Marshall

ATTEST:



Financial Director/City Clerk

REGULAR MEETING – JULY 6, 1999

The regular meeting of the Common Council of the City of Marshall was held on July 6, 1999 in the Council Chambers of the Marshall Municipal Building. The meeting was called to order at 7:30 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Doyle, Edblom, Boedigheimer and Stores. Absent: Rowe and Reynolds. Staff present included: Michael Johnson, City Administrator; Keith Nelson, Director of Public Works/City Engineer; Thomas M. Meulebroeck, Finance Director/City Clerk; Calvin Barnett, City Assessor; and Jane DeVries, Deputy City Clerk.

The Pledge of Allegiance was recited at this time.

APPROVAL OF THE AGENDA:

It was the general consensus of the council that the agenda be approved with the addition of item 1a which is an invitation inviting the council to a crime-free housing party and the addition of item 11a which is the closing of Main Street from College Drive to 5th Street and 3rd Street from Main to Lyon Street for Crazy Days on July 22, 1999.

APPROVAL OF THE MINUTES:

Doyle moved, Edblom seconded, that the minutes of the regular meeting held on June 21, 1999 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

AWARD OF BIDS:

Bids were received, opened and read on May 10, 1999 for the reconstruction of Jewett Street between the center line of East Lyon Street and the south right of way line of T.H. 19. The bids received, opened and read were as follows:

McLaughlin & Schulz, Inc.
Marshall, Minnesota
\$285,347.95

Boedigheimer moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2122, SECOND SERIES and that the reading of the same be waived. Resolution Number 2122, Second Series is a resolution awarding the bid for the reconstruction of Jewett Street between the center line of East Lyon Street and the south right of way line of T.H. 19 to McLaughlin & Schulz, Inc., in the amount of \$285,347.95. All voted in favor of the motion.

PUBLIC HEARING PRELIMINARY PLAT – MALL STREET ADDITION:

This was the date and time set for a public hearing to consider the Preliminary Plat of Mall Street Addition. Keith Nelson, Director of Public Works/City Engineer, reviewed with the council the preliminary plat. There were no objections, therefore Boedigheimer moved, Doyle seconded, the public hearing be closed. All voted in favor of the motion.

Doyle moved, Boedigheimer seconded, the approval of the Preliminary Plat of Mall Street Addition. All voted in favor of the motion.

PUBLIC HEARING – REZONE 1400 EAST LYON STREET:

This was the date and time set for a public hearing to rezone 1400 East Lyon Street from B-1 Limited Business District to B-3 General Business District for D.J.R. & Co. Keith Nelson, Director of Public Works/City Engineer, reviewed with the council this request. There were no

REGULAR MEETING – JULY 6, 1999

objections, therefore Boedigheimer moved, Stores seconded, the public hearing be closed. All voted in favor of the motion.

Edblom moved, Doyle seconded, the adoption of ORDINANCE NUMBER 415, SECOND SERIES and that the reading of the same be waived. Ordinance Number 415, Second Series is an ordinance amending Chapter 11 of the City Code relating to zoning. This ordinance rezones the property at 1400 East Lyon Street from B-1 Limited Business District to B-3 General Business District. All voted in favor of the motion.

ANNEXATION OF CITY-OWNED PROPERTY:

Boedigheimer moved, Edblom seconded, the introduction of an ordinance regarding annexation of City-owned property and calling for a public hearing. This motion provided for the addition of three additional city-owned parcels to be added for a total of 23 parcels. The three parcels added include: Skunk Hollow Road; the property purchased from Mike Mortier for the extension of the airport runway; and the property purchased from Joseph Doom for the Sanitary Sewer Lift Station across from Southwest State University. The public will be held at 7:30 P.M. on July 19, 1999. All voted in favor of the motion.

ADVERTISE FOR BIDS – PROJECT 1998-002:

Doyle moved, Edblom seconded, the proper city personnel be authorized to advertise for bids for the 1999 Industrial Park Improvement Project No. 1998-002. Bids are to be received on August 2, 1999. All voted in favor of the motion.

GRANT APPLICATION FOR HOUSING ASSISTANCE:

Calvin Barnett indicated to the Council that the Marshall Economic Development Authority met on July 1, 1999 for the purpose of reviewing and supporting a housing project grant application. He indicated that EDA unanimously passed the resolution in support of this housing project grant application. At this time, Calvin Barnett introduced Rich Goodeman, Southwest Minnesota Housing Partnership. Mr. Goodeman has been employed by the Marshall EDA to assist in the preparation of the grant application. Mr. Goodeman indicated that as the program is currently proposed a qualified homebuyer would be eligible to receive a soft second loan up to \$15,500 towards the purchase of a new single family home. The home can be stick built, modular or manufactured. The loan would be a 0% deferred loan, due and payable upon sale of the property. Income and other restrictions apply: Income is 80% of statewide median – 1999 income is \$43,040 and the maximum house price is \$131,070. The goal of this project is to develop a mixed income neighborhood comprised of a large single family development and a smaller rental component of 18 town homes through the use of State and Local resources. The partners for the project consist of: the City of Marshall; Marshall EDA; Marshall Employers; Marshall Lenders; SW Minnesota Housing Partnership and Western Community Action. Stores moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2123, SECOND SERIES and that the reading of the same be waived. Resolution Number 2123, Second Series is a resolution of the Marshall City Council Expressing Their Support & Commitment of a Housing Development Project. All voted in favor of the motion.

DOWNTOWN DEVELOPMENT GROUP TO ACQUIRE PROPERTY:

Per the recommendation of the Downtown Development Group Edblom moved, Stores seconded, that the Marshall EDA and Marshall City Council proceed with the acquisition of the

REGULAR MEETING – JULY 6, 1999

Hauge property as part of the downtown redevelopment process. This property is located at 103 West Lyon Street. All voted in favor of the motion.

PRAIRIE HOME HOSPICE ON-SALE LIQUOR LICENSE:

Stores moved, Doyle seconded, the approval of a Temporary On-Sale Intoxicating Liquor License for Prairie Home Hospice for operation at Southwest State University Student Center West, on Saturday, January 29, 2000. The fee for this license is \$25.00. All voted in favor of the motion.

BEER LICENSE AND TOBACCO LICENSE – VFW POST 742 – LYON COUNTY FAIR:

Edblom moved, Doyle seconded, the approval of a temporary On-Sale Non-Intoxicating Beer License and a temporary Tobacco License for Mongeau-Tholen VFW Post 742 for the month of August, 1999. The fee for the On-Sale Beer License is \$25.00 and the fee for the Tobacco License is prorated to \$25.00. All voted in favor of the motion.

MAYOR/COUNCILMEMBER SALARY COMPENSATION:

Edblom moved, Stores seconded, the Mayor/City Councilmember salary compensation review as required by Marshall City Charter be referred to the Personnel Committee. All voted in favor of the motion.

MAIN STREET CLOSING – CRAZY DAY:

Stores moved, Doyle seconded, that Main Street from the Jct. Of Highway 19 to North Fifth Street and Third Street from Lyon Street to Main Street be closed between 6 A.M. and 6 P.M. on Thursday, July 22, 1999 for Crazy Days. All voted in favor of the motion.

MAYOR AND COUNCIL REPORTS:

Reports by the Mayor and Councilmembers of the various committees, commissions and boards were as follows:

- | | |
|--------------|---|
| Byrnes | <u>EDA</u> items were discussed earlier in the meeting; <u>Regional Development Commission</u> will hold their annual meeting on Thursday in Worthington. |
| Stores | <u>Community Services Advisory Board</u> does not meet this month; <u>Downtown Development Group</u> was concerned with the lack of public rest rooms when the Police Department moves to Lyon County Courthouse, the birds are no longer an issue downtown, and they are working on a downtown survey. |
| Edblom | <u>Cable Commission, Planning Commission and Utilities Commission</u> have not met; <u>Ways & Means Committee and Personnel Committee</u> will meet next week. |
| Boedigheimer | <u>Airport commission, Senior Citizen Center Commission and Lyon County Enterprise Development</u> have not met; <u>Jt. LEC</u> will meet on Friday. |
| Doyle | <u>Housing Commission and Convention & Visitors Bureau</u> has not met; <u>Transit Committee</u> the new hardware and software has arrived. |

COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Councilmembers included: the fireworks display was good and a thank you went out to the Community Services, Hy-Vee, Marshall Fire Department and Ghent Fire Department; the City Band is celebrating their 80th year; the traffic on West College needs to be monitored; camper parking on private property is a concern; it was indicated that Bressnan was sold.

PENDING AGENDA ITEMS:

Items to be added to the pending agenda item list includes: the lights and arm at the railroad crossing on North 7th Street.

BILLS/PROJECT PAYMENTS:

A question was raised in regard to the amount of money the cell phone bill is each month. This will be discussed with staff. Edblom moved, Stores seconded, and it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 20328 through 20474.

BUILDING PRMITS:

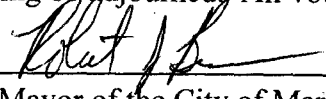
The following building permits previously approved by the Building Official were confirmed.

Denny Miller Construction	1401 Pinehurst Road	Reroof	\$8,400
Cyril Schroeder	602 West Lyon Street	Remodel Kitchen	\$1,500
Shirley Anderson-Porisch	503 East Southview Drive	Install Window	\$800
Dennis Lozinski	1111 East Fairview Street	Reroof Dwelling	\$2,700
Denny Miller Construction	206 DeSchepper Street	Install Door	\$2,600
DTK Properties, Inc.	311 East College Drive	Install Canopy	\$2,900
David & Tammy Bukowski	302 Elm Street	Garage	\$4,500
Minnesota Cabinets	103 South High Street	Remodel Kitchen	\$2,000
Tracy & Rhanda Cummings	1217 Prospect Road	Deck	\$1,200
John Zender	402 South 4th Street	Deck	\$1,500
Michael & Diane Osmond	302 North 4th Street	Reside Dwelling	\$5,700
Johnson Construction	209 South 4th Street	Replace Steps	\$2,000
Dennis Lozinski	1309 Parkside Drive	Reroof Dwelling	\$2,400
Gray Companies, Inc.	1402 East College Drive	Kitchen Remodeling	\$15,000
Independent School District No. 413	401 South Saratoga Street (Senior High School)	Install Door	\$800
True Value Home Center	804 Viking Drive	Dwelling	\$197,000
Babcock Construction	1003 Columbine Drive	Reside Dwelling	\$6,500
Beek Construction	604 Michigan Road	Remodel Bathroom	\$4,200
Schlenner Construction Co.	817 Cullen Circle	Dwelling	\$220,000
Richard Binnebose Construction	413 Mason Avenue	Replace Entry Stoop and Deck	\$1,700
Judith Brown	806 Woodfern Drive	Sunroom & Deck	\$13,300
Richard Binnebose Construction	408 North 4th Street	Reroof	\$2,900
Bruce Robinson	600 Jewett Street	Partial Reroof	\$1,000

REGULAR MEETING - JULY 6, 1999

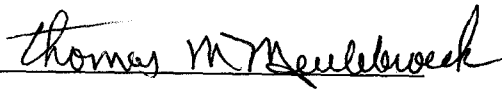
Vincent & Kim Korver	803 DeSchepper Street	Dwelling	\$180,000
True Value Home Center	1300 Englewood Road	Basement Remodel	\$35,000
Greig & Gregerson	101 Marlene Street	Partial Reroof	\$400

Doyle moved, Stores seconded, that the meeting be adjourned. All voted aye.



Mayor of the City of Marshall

ATTEST:



Finance Director/City Clerk

REGULAR MEETING – JULY 19, 1999

The regular meeting of the Common Council of the City of Marshall was held on July 19, 1999 in the Council Chambers of the Marshall Municipal Building. The meeting was called to order at 7:30 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Rowe, Doyle, Edblom, Reynolds, Boedigheimer and Stores. Absent: none. Staff present included: Michael Johnson, City Administrator; Keith Nelson, Director of Public Works/City Engineer; Thomas M. Meulebroeck, Finance Director/City Clerk; and Brian Murphy, City Attorney.

The Pledge of Allegiance was recited at this time.

APPROVAL OF THE AGENDA:

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

Mayor Byrnes took this opportunity to welcome the Southwest State University students from the American National Government class.

APPROVAL OF THE MINUTES:

Doyle moved, Edblom seconded, that the minutes of the regular meeting held on July 6, 1999 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

ORDINANCE REGARDING ANNEXATION OF CITY OWNED PROPERTY:

Boedigheimer moved, Stores seconded, the adoption of ORDINANCE NUMBER 416, SECOND SERIES and that the reading of the same be waived. Ordinance Number 416, Second Series is an ordinance extending the corporate limits of the City of Marshall Minnesota to include certain unincorporated property owned by and abutting upon the limits of the City of Marshall, Minnesota. This ordinance provides for 23 parcels of property owned by the City of Marshall to be annexed into the City of Marshall. These properties were acquired by the City of Marshall through the flood control project, the Ditch 62 project, and the construction of the Wastewater Treatment Facility plant lift station along Highway 23. All voted in favor of the motion.

PUBLIC HEARING – WILKE-MILLER-BUESING FIRST ADDITION:

Keith Nelson, Director of Public Works/City Engineer briefly reviewed with the city council the preliminary plat for the Wilke-Miller-Buesing First Addition. Edblom moved, Doyle seconded, the introduction of the Preliminary Plat for the Wilke-Miller-Buesing First Addition and that a public hearing be held at 7:30 P.M. on August 2, 1999 to consider the preliminary plat. All voted in favor of the motion.

PROJECT 1999-003 – DTG WATERMAIN EXTENSION:

A bid was received, opened and read on August 8, 1999 from Bartz Excavating, Marshall, Minnesota in the amount of \$57,857.25 for the watermain extension along East Lyon Street from Jewett Street to the DTG Property across Trunk Highway 23 Project No. 1999-003. Keith Nelson, Director of Public Works/City Engineer reviewed the project with the city council. Mr. Nelson indicated that the city would be receiving a signed waiver for the assessment of this project. The engineer's estimate on this project was \$70,452 and contingent upon the city council's approval it is the intent for this project to begin within a week. Rowe moved, Stores seconded, the adoption of RESOLUTION NUMBER 2124, SECOND SERIES and that the

REGULAR MEETING – JULY 19, 1999

reading of the same be waived. Resolution Number 2124, Second Series is a resolution declaring the cost to be assessed and ordering the preparation of the proposed assessment for the watermain extension along East Lyon Street from Jewett Street to the DTG Property across Trunk Highway 23. The cost of this improvement is \$57,857.25. All voted in favor of the motion.

Stores moved, Doyle seconded, that the proper city personnel be authorized to execute the Agreement of Assessment and Waiver of Irregularity and Appeal for the watermain extension project along East Lyon Street from Jewett Street to the DTG Corporate Office across Trunk Highway 23. The owner of the DTG property has agreed to pay 100% of the cost of the construction of this project. All voted in favor of the motion.

Rowe moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2125, SECOND SERIES and that the reading of the same be waived. Resolution Number 2125, Second Series is a resolution adopting the assessment for the watermain extension along East Lyon Street from Jewett Street to the DTG Corporate office across Trunk Highway 23. This resolution allows for the assessment to be paid in equal annual installments over 8 years at a rate of 8 ½% per annum effective October 15, 1999. All voted in favor of the motion.

Edblom moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2126, SECOND SERIES and that the reading of the same be waived. Resolution Number 2126, Second Series is a resolution accepting the bid from Bartz Excavating, in the amount of \$57,857.25 for Project No. 1999-003 which is the watermain extension along East Lyon Street from Jewett Street to the DTG Corporate office across Trunk Highway 23. All voted in favor of the motion.

CLOSURE OF SOUTH 5TH STREET:

Per the request of Bev Miller, Bev's Antiques, Doyle moved, Boedigheimer seconded, that South 5th Street be closed from Main Street to the alley adjacent to the State Farm Insurance Office on August 1, 1999 from 7:00 A.M. to 7:00 P.M. to allow for Bev's Antiques to have an auction. The council was informed that this street would be barricaded and city staff was directed to advise the churches in this area that this street would be closed on that date and to allow for them to notify their members. All voted in favor of the motion.

SCHWAN'S SALES ENTERPRISES, INC. – OCCUPY PUBLIC RIGHT-OF-WAY:

Per the request of Schwan's Sales Enterprises, Inc., Rowe moved, Doyle seconded. Schwan's Sales Enterprises Inc., be granted permission to permanently occupy the right-of-way with the existing and proposed footings and drain tile, up to 6 feet extended into the right-of-way along South 1st Street, between Saratoga Street and Marvin Schwan Memorial Drive. A concern was expressed in regard to the procedure in considering this request and that it not be going through the Planning Commission process. In response to the concern it was indicated that at some time the city council had authorized the building extension into the right-of-way along South 1st Street and that this request was a continuation of the previous approval. Ron Halgerson, Group II Architects, was in attendance at the meeting to review with the council the construction of the addition to Schwan's Sales Enterprises, Inc. All voted in favor of the motion, except Boedigheimer who voted no.

REGULAR MEETING – JULY 19, 1999

VILLAGE DRIVE – NO PARKING:

Per the request of Samuel Lutheran School, 500 Village Drive, Marshall, Minnesota, Stores moved, Boedigheimer seconded, the adoption of RESOLUTION NUMBER 2127, SECOND SERIES and that the reading of the same be waived. Resolution Number 2127, Second Series is a resolution providing for control signage in the City of Marshall. This resolution provides for no parking signs on Village Drive at the north and south side of the southern entrance to Samuel Lutheran School located at 500 Village Drive. This resolution was approved with an amendment to it providing that there be no parking within 20' of the entrance. All voted in favor of the motion.

COUNTY BRIDGE ON COUNTY ROAD 7:

Rowe moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2128, SECOND SERIES and that the reading of the same be waived. Resolution Number 2128, Second Series is a resolution approving the reconstruction of the County Bridge on County Road 7. City council was informed that the construction on this bridge is scheduled to begin and to be completed in the fall of 1999. All voted in favor of the motion.

MARSHALL AREA CHAMBER OF COMMERCE – BEER LICENSE:

Stores moved, Edblom seconded, the approval of a temporary on-sale non-intoxicating beer license for the Marshall Area Chamber of Commerce to be used for the Agri-Business Golf Tournament Pork Chop Feed. This event will be held at the Lyon County Fairgrounds on Monday, July 26, 1999 from 4:00 P.M. to 11:00 P.M. All voted in favor of the motion.

MAYOR AND COUNCIL REPORTS:

Reports by the Mayor and Councilmembers of the various committees, commissions and boards were as follows:

- Byrnes EDA did have a special meeting to follow up on the application for the housing grant. Tom Serie and Diane Weick from F&L Management and Development Incorporation were in attendance along with John Blowers from J & J Apartments to request the commission to consider other options for the multiple family housing units. Fire Relief Association has met and reviewed their annual report and provided the audit report to the city council; the RDC did hold its annual meeting in Worthington.
- Stores Community Services Advisory Board does meet in July; the Jt. Ice Facility Board did not meet due to the lack of a quorum; the Downtown Council did meet and they are interested in limiting the truck traffic in the downtown area; Downtown Steering Committee did meet and were informed that they were granted a LAWCON Grant in the amount of \$1.5 million for the proposed park development between College Drive and First Street where the current Breyfogle Auto Sales and Taylor Lumber Company properties are located.
- Edblom Planning Commission did meet and the city council acted upon the items considered by the planning commission; Cable Commission did meet and did have a lengthy meeting and discussion in regard to the move of the office and studio currently located next to the Bressnan Communication Office. Mr. Edblom indicated that there is a great deal of work that needs to be done to allow for the

REGULAR MEETING – JULY 19, 1999

studio to be moved to the basement of the Marshall Municipal Building and also in dealing with both cable companies coming together to discuss and work together and providing for a workable studio. Mr. Edblom also indicated that a community needs survey needs to be completed before the renewal of the cable franchise is considered. Edblom indicated that the Utility Commission would be meeting on July 20, 1999; the Ways and Means Committee on July 20, 1999 at 4:30 P.M.; the Personnel Committee will be meeting on July 21, 1999 at 4:30 P.M. and the Quarterly Employee meeting will be held on July 27, 1999 at 4:00 P.M.

Boedigheimer Indicated that the Airport Commission meeting was cancelled; that he was not able to attend the Senior Center Commission meeting; that the Lyon County Enterprise Development committee would be meeting before the end of this month; and that he was not able to attend the Joint Law Enforcement Center committee meeting. The council was advised that there was a tour of the facility taken and that the equipment for the dispatch area was ordered in July and will take approximately 6 weeks for it to be delivered, which would be approximately the end of August and that the move from City Hall to the Joint Law Enforcement Center would not take place until after that time.

Doyle Housing Commission did discuss the Crime Free Housing Program and there was a good attendance at the open house that was held; the Convention and Visitors Bureau will be meeting on July 21, 1999; and the Transit Advisory Committee will meet on July 28, 1999.

Rowe Indicated that the Legislative and Ordinance Committee would have to reschedule their meeting which was originally scheduled for July 21, 1999; the Library Board did meet and it was indicated that the gas boiler is installed and the lighting project has been completed. It was indicated that the internet program continues to be use greatly and that the teen summer fun program has been advertised and is in progress; that they are starting an on-line data base search and that they would be considering carpet replacement in their proposed budget for the year 2000 and the lighting project is coming out of the current years budget. The Library Board also discussed the Y2K compliance. Insurance Ad Hoc Committee did discuss the upcoming renewal for the property, auto, liability insurance and it is projected that there will be a slight increase in the premiums for this coverage; the Y2K insurance coverage was discussed and there was no motion recommended from the committee to accept or reject the proposed coverage. Sheldon Kimpling, Bremer Insurance, will be attendance at the August 16, 1999 meeting to discuss the Y2K insurance coverage. It was indicated that the cost for the Y2K coverage would be approximately \$10,000, which would be for a 2-year period of time and would provide coverage up to \$750,000.

Reynolds Hospital Board it was indicted that the financial report for the past two months reflects losses for both of these two months, the hospital board is also working on its integration of services between the hospital and the Affiliated Med Center.

REGULAR MEETING – JULY 19, 1999

COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Councilmembers included: an appreciation extended to Rob Yant, Director of Public Safety, for his involvement in the Community Policing Program; it was also indicated that all fulltime dispatchers currently employed by the City of Marshall have been granted employment at the Lyon County Law Enforcement Center. The Planning and Zoning needs to meet with the county; the Planning Commission and Human Rights Commission are both one member short; the budget requests are due in by July 30, 1999; a joint City/County meeting has been scheduled for August 18, 1999. The Library minutes included a plea from the Library Board Members to become members of the Friends of the Library; the open house for the Crime Free Multiple Housing provided a real sense of community with what's going on with this project; camper parking on residential areas was discussed and it was indicated that Keith Nelson, Mike Johnson and Brian Murphy would be meeting to discuss this concern. The council was advised that the drainage project at the Marshall Municipal Airport has no time frame in place for the completion of this project. It was indicated that the Corp of Engineers Flood Control Project is going well and that the city needs to address with the county as to what some of the future uses of the properties are that have been acquired with the project.

PENDING AGENDA ITEMS:

In regard to the pending agenda items the council would like some direction in regard to the ordinance proposed for the use of Facsimile Signatures.

BILLS/PROJECT PAYMENTS:

Edblom moved, Stores seconded, and it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 20475 through 20677.

BUILDING PERMITS:

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

Douglas & Charis Hamilton	1401 Parkside Drive	Exterior Remodel & Garage Addition	\$27,600
Dennis & James Lozinski	104 East Greeley Street	Reside Dwelling	\$1,500
Brad or Jill Engebretson	206 Walnut Street	Family Room Addition and Exterior Remodeling	\$43,000
ASA Architects	1001 North Highway 23 By-Pass	Construct Partition	\$3,000
Kesteloot Construction, Inc.	1103 Bruce Circle	Reroof Dwelling	\$3,800
Telkamp House Moving	105 South "H" Street	Move Out Storage Building #1	\$0
Telkamp House Moving	105 South "H" Street	Move Out Storage Building #2	\$0
Telkamp House Moving	105 South "H" Street	Move Out Storage Building #3	\$0
Telkamp House Moving	105 South "H" Street	Move Out Storage Building #4	\$0
Telkamp House Moving	105 South "H" Street	Move Out Storage Building #5	\$0
Telkamp House Moving	105 South "H" Street	Move Out Storage Building #6	\$0
Telkamp House Moving	105 South "H" Street	Move Out Storage Building #8	\$0
Telkamp House Moving	105 South "H" Street	Move Out Storage Building #9	\$0
The Sign Shop	202 Jewett Street	Install Sign	\$1,200

REGULAR MEETING – JULY 19, 1999

Timmy R. Swenson	803 West Southview Court	Two-Family Dwelling	\$120,000
Steven W. Mohwinkel	310 West Redwood Street	Replace Doors	\$1,200
Babcock Construction	408 South 4th Street	Reside Dwelling	\$5,500
Janel Sturm	618 Soucy Drive	Finish Basement & Install Windows	\$2,000
Independent School District No. 413	1501 State Street	Partition Remodeling / IL Building	\$2,200
Independent School District No. 413	600 East College Drive (East Side Elementary School)	Install Door	\$800
Bennie Ridlon	1310 Horizon Drive	Shed	\$1,300
Dennis Lozinski	408 Lynd Street	Partial Reroof	\$1,500
Eric & Angie Trost	1111 Horizon Drive	Dwelling	\$135,000
Elizabeth DeVos	512 East Main Street	Replace Window and Door	\$650
Denison Construction	600 North 3rd Street	Reroof Dwelling	\$2,300
Larry Magrath	408 South Hill Street	Partition Wall	\$200
Clifford J. Dahm, Jr.	108 East Main Street	Partial Reroof	\$2,000
Geske Building & Supply Co.	208 North Whitney Street	Reside Dwelling	\$6,500

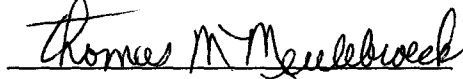
The city council was advised that there was a plane crash at the Marshall Municipal Airport on July 19, 1999. There was no damage to the airport property and that the pilot did walk away from the crash, but the plane was expected to be a total loss.

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



Mayor of the City of Marshall

ATTEST:



Finance Director/City Clerk

REGULAR MEETING – AUGUST 2, 1999

The regular meeting of the Common Council of the City of Marshall was held on August 2, 1999 in the Council Chambers of the Marshall Municipal Building. The meeting was called to order at 7:30 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Rowe, Doyle, Edblom, Reynolds and Stores. Absent: Boedigheimer. Staff present included: Michael Johnson, City Administrator; Keith Nelson, Director of Public Works/City Engineer; Thomas M. Meulebroeck, Finance Director/City Clerk; Brian Murphy, City Attorney; and Jane DeVries, Deputy City Clerk.

The Pledge of Allegiance was recited at this time.

APPROVAL OF THE AGENDA:

It was the general consensus of the city council that the agenda be approved with the consideration of Summary Ordinance for Ordinance Number 416, Second Series being added to the agenda.

APPROVAL OF THE MINUTES:

Stores moved, Doyle seconded, that the minutes of the regular meeting held on July 19, 1999 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

AWARD OF BIDS:

Bids were received, opened and read at 2:00 P.M. on July 15, 1999 for the purchase of a 29,000 G.V.W. truck for the Street Department and the selling of one 1984 IH Model 1600 Diesel truck and box from the Street Department. Bids received, opened and read were as follows:

	Proposal A	Proposal B	Proposal C
Boyer Sterling Trucks Minneapolis, Minnesota	\$44,590.49	\$50,341.49	No bid
Olson & Johnson Trucks Marshall, Minnesota	\$43,132.50	\$49,522.50	No bid
Tholen Auto Sales Marshall, Minnesota	\$38,920.60	\$44,778.10	No bid

Proposal A – furnish 29,000 G.V.W. truck and purchase existing 1984 IH trade-in.

Proposal B – furnish 29, 000 G.V.W. truck only.

Proposal C – purchase existing 1984 IH trade-in only.

The low bid of \$38,920.60 from Tholen Auto Sales does not meet the specifications, therefore Rowe moved, Reynolds seconded, that the bid be awarded to Olson & Johnson in the amount of \$43,132.50. This bid is for the purchase of a 29,000 G.V.W. truck with a trade-in of the 1984 IH Model 1600 diesel truck. All voted in favor of the motion.

A bid was received, opened and read from McLaughlin & Schulz Inc., Marshall, Minnesota in the amount of \$126,848.00 for the resurfacing and sealcoating on various streets within the City of Marshall. Doyle moved, Stores seconded, the bid be awarded to McLaughlin & Schulz, Inc., in the

REGULAR MEETING – AUGUST 2, 1999

amount of \$126,848.00 for the resurfacing and sealcoating of various streets within the City of Marshall. All voted in favor of the motion.

PUBLIC HEARING – WILKE-MILLER-BUESING FIRST ADDITION:

This was the date and time set for a public hearing on the preliminary plat of the Wilke-Miller-Buesing First Addition. Keith Nelson, Director of Public Works/City Engineer reviewed with the council the proposed plat. It was indicated that the developer would like to have the improvements be completed on only part of the plat at this time. Greg Taylor, owner of the addition indicated that they were interested in having a park in this area. Mr. Taylor was informed that this should be discussed with the Community Services Board at their next meeting to be held on Wednesday, August 4, 1999. There were not other questions or concerns, therefore Rowe moved, Doyle seconded the public hearing be closed. All voted in favor of the motion.

Stores moved, Doyle seconded, the approval of the preliminary plat of the Wilke-Miller-Buesing First Addition. All voted in favor of the motion.

REZONE WILKE-MILLER-BUESING FIRST ADDITION:

Keith Nelson, Director of Public Works/City Engineer, reviewed with the council and others in attendance the request to rezone the proposed Wilke-Miller-Buesing First Addition from B-3 (General Business District) to R-1 (One Family Residence District), R-3 (Low to Medium Density Multiple Family Residence District) and B-3 (General Business District). It was indicated that the council has 60 days to consider this request once the final plat has been approved. Stores moved, Edblom seconded, the introduction of an ordinance and called for a public hearing for the rezoning of portions of Wilke-Miller-Buesing First Addition. All voted in favor of the motion.

MAINTENANCE COST AT MARSHALL MUNICIPAL AIRPORT:

Rowe moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2129, SECOND SERIES and that the reading of the same be waived. Resolution Number 2129, Second Series is a resolution authorizing the proper city personnel to execute an agreement with the Minnesota Department of Transportation for the maintenance of the Marshall Municipal Airport. This agreement provides for 2/3 of the routine maintenance costs for the airport to be paid by the Minnesota Department of Transportation not to exceed \$41,183.00 per year for the period of July 1, 1999 through June 30, 2001. All voted in favor of the motion.

PURCHASE 20-FT MOWER FOR AIRPORT:

The following quotes were received for a 20-ft mower for the Marshall Municipal Airport with the trade-in of a 15-ft mower:

D & M Implement Inc.	Consolidated AG Services
Marshall, Minnesota	Marshall, Minnesota
\$12,673.50	\$17,553.00

Stores moved, Reynolds seconded that the City of Marshall purchase a John Deere 2018 20ft. flex-wing mower from D & M Implement Inc., in the amount of \$12,673.00 after trade-in and to enter into an agreement with the State of Minnesota Department of Transportation for reimbursement of 60% of the cost. All voted in favor of the motion.

OUT OF STATE TRAVEL:

Discussion was held at this time on the request for out of state travel for Mr. Steve Titus of the Marshall Community Services Advisory Board to travel to the University of Georgia to tour the Fanning Institute of Leadership and Community Development. Councilperson Stores felt that this was a benefit for the Marshall Community Services Advisory Board. Councilmember Rowe indicated that the Fanning Institute of Leadership and Community Development at the University of Georgia works with communities from Georgia and did not feel that this would benefit Marshall. Stores moved, Reynolds seconded, that out of state travel be granted to Mr. Steve Titus to travel to the University of Georgia. Stores and Reynolds voted in favor of the motion. Rowe, Byrnes, Doyle and Edblom voted no.

LEGISLATIVE AND ORDINANCE COMMITTEE RECOMMENDATIONS:

Upon the recommendation of the Legislative and Ordinance Committee, Rowe moved, Doyle seconded, the introduction of an ordinance regulating the keeping and licensing of dogs within the City of Marshall. This ordinance will provide for dog tags to be purchased at designated veterinarian clinics as well as the Finance/City Clerk's Office. Councilperson Reynolds questioned whether the City should consider the licensing of cats. All voted in favor of the motion.

Upon the recommendation of the Legislative and Ordinance Committee, Doyle moved, Rowe seconded, the introduction of an ordinance amending certain sections of the City Code regulating the size of the Planning Commission. This ordinance provides for the size of the Planning Commission be set at seven members. All voted in favor of the motion.

PERSONNEL COMMITTEE RECOMMENDATIONS:

Upon the recommendation of the Personnel Committee, Edblom moved, Stores seconded, the introduction of an ordinance amending the salaries and compensation of the Mayor and Councilperson. This ordinance provides for an increase of 3% effective January 1, 2000. All voted in favor of the motion.

AMENDMENT – ORDINANCE NUMBER 416, SECOND SERIES:

Rowe moved, Doyle seconded, the adoption of ORDINANCE NUMBER 416, SECOND SERIES as amended and that the reading of the same be waived. Ordinance Number 416, Second Series as amended provides for a summary of the original ordinance to be published. All voted in favor of the motion.

MAYOR AND COUNCIL REPORTS:

Reports by the Mayor and Councilmembers of the various committees, commissions and boards were as follows:

- | | |
|--------|---|
| Byrnes | <u>EDA</u> has not met; <u>Fire Relief Association</u> met and reviewed the Relief Association Pension Plans, which were forwarded to the Ways and Means Committee; <u>Regional Development Commission</u> has not met. |
| Stores | <u>Community Services Advisory Board</u> will meet on Wednesday, August 4, 1999; <u>JT. Ice Facility Board</u> will meet on Tuesday, August 3, 1999; <u>Downtown Council</u> was interested in the music that use to be in the downtown area; <u>Downtown Design Group</u> met last week. |

REGULAR MEETING – AUGUST 2, 1999

- Edblom Cable Commission and Planning Commission will meet next week; Utilities Commission met last month; Ways and Means Committee met twice in the last 2 weeks – they discussed the resolution on fees; the franchise fee with Great Plains Natural Gas and Weiner Memorial Medical Center; Personnel Committee discussed the safety program; the addition of another fulltime employee at the Liquor Store for 1999 and the possibility of an employee insurance committee; Quarterly Employee Meeting discussed the employee insurance committee and indicated that this committee should have a representative from each union group and the non-union employees.
- Doyle Housing Commission discussed the problems they are having with the new windows – their minutes are included in the agenda packet; Human Rights Commission has printed their bulletin in Spanish; Convention & Visitors Bureau minutes are included in the agenda packet; Transit Committee discussed the need for garages for the buses.
- Rowe Insurance Advisory Committee Sheldon Kimpling will discuss Y2K insurance with the council in August; Library Board has not met; JT. City/County Library Board discussed the budget, boiler costs and carpeting needs; Legislative and Ordinance Committee discussed signage at the Market Street Mall and the ordinance and enforcement on parking of recreational vehicles on private property.
- Reynolds Hospital Board will meet on August 16, 1999.

COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Councilmembers included: the County Fair will be held August 12th – 15th, 1999; the status of the Division Heads and the Hay Committee; train crossing lights on Legion Field Road should be installed by late fall; the City Band celebrated its 80th year and it was suggested that a plaque be placed in the band shell; the lights on East Main – plans are complete and waiting for the agreement with the State of Minnesota; the Hospital Board and Affiliated Medical Center physician group have discussed several issues and a meeting needs to be scheduled with the city council; there needs to be a JT. City/County meeting scheduled.

BILLS/PROJECT PAYMENTS:

Edblom moved, Stores seconded, and it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 20678 through 20795.

BUILDING PERMITS:

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

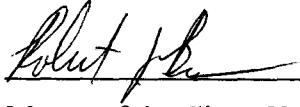
Mark Fokken	515 Lawrence Street	Reside Dwelling	\$3,000
Steven Baumann Construction	111 West Maple Street	Reside Dwelling	\$4,800
Bladholm Construction, Inc.	1405 East College Drive	Repair Shop	\$289,000
Bladholm Construction, Inc.	801 West Main Street	Storage Building	\$27,600
Glenn Johnson	109 "G" Street	Reroof Dwelling	\$1,300
North Star Modular Homes Inc.	809 West Southview Court	Prefabricated 3-Unit Apartment	\$88,000
Perry & Laura Penske	224 Legion Field Road	Addition to Dwelling	\$18,000
Fairmont Glass & Sign	807 West Fairview Street	Install Sign	\$3,400
Greig & Gregerson	311 Rainbow Drive	Reroof Dwelling	\$700

REGULAR MEETING -- AUGUST 2, 1999

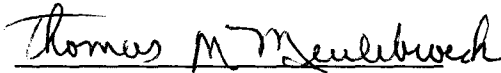
Hiller Development Co.	1009 / 1101 Indiana Jones Avenue	Two-Unit Condominium	\$185,000
Larry Doom	509 Kathryn Avenue	Install Window	\$1,000
Jonathan & Patricia Mellenthin	516 East Main Street	Partial Reroof	\$3,500
Bladholm Construction, Inc.	115 West College Drive	Office Addition	\$2,020,000
Lawrence Marco	603 South 1st Street	Reroof Dwelling	\$3,000
Brad & Paula Botsford	408 Elaine Avenue	Basement Remodel	\$8,000
The Sign Shop	202 Jewett Street	Install Sign	\$900
New Thresholds of Faith Church, Inc.	1400 South Saratoga Street	Church	\$450,000
Donald & MarLien Bartz	712 West College Drive	Warehouse	\$22,000
Gary D. Becker	1006 Hackberry Drive	Reside Apartment	\$10,000
Gary D. Becker	1008 Hackberry Drive	Reside Apartment	\$10,000
Ted Rowe	410 Elm Street	Demolish Porch	\$0
True Value Home Center	1231 Patricia Court	Dwelling	\$90,000

Greg Taylor was concerned with the items that needed to be addressed prior to the Final Plat for Wilke-Miller-Buesing First Addition being adopted. Mr. Taylor was instructed to contact Community Services in regard to the park issue and Keith Nelson, Director of Public Works/City Engineer would review the other concerns with him.

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


Mayor of the City of Marshall

ATTEST:


Finance Director/City Clerk

SPECIAL MEETING – AUGUST 16, 1999

The special meeting of the Common Council of the City of Marshall was held on August 16, 1999 in the Cottonwood Room of the Marshall Municipal Building. The meeting was called to order at 6:30 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Boedigheimer, Doyle, Edblom, Rowe and Stores. Absent: Reynolds. Staff present included, City Administrator Johnson and Director of General Services Barnett.

COALITION OF GREATER MINNESOTA CITIES MEETING:

Mayor Byrnes indicated that the first item of business was to discuss the recent Coalition of Greater Minnesota Cities meeting that was held in Bemidji on August 4-6, 1999. Attending the meeting on behalf of the City were Councilmembers Doyle and Rowe, City Administrator Johnson and Director of General Services Barnett.

Councilmember Doyle provided an overview of the meeting and touched on the topics of the Environment, review of the 1999 legislative session, committee reports and program options for 2000, Wenck Associates, Inc., - evaluating the cost-effectiveness of Minnesota's water quality standards, property tax reform and LGA, and annexation and land use. Councilmember Rowe's opinion of Flaherty & Assoc., and the Coalition was that he felt they do a great job and the money spent by the City for their services was well spent.

Councilmember Rowe also provided a brief overview of the proposed policy positions, strategies and budgets for 2000 for Labor Relations, transportation and the University/College coalition discussion that took place with other MNSCU cities from Winona, Moorhead, Bemidji, Marshall, Worthington, etc., regarding the potential creation of a joint powers agreement to address funding for educational needs in outstate Minnesota as a result of the 1999 Legislative Session. More information on this topic will be forthcoming.

City Administrator Johnson provided the group with a brief overview on Transportation, Economic Development and Capital Investment.

LEAGUE OF MINNESOTA CITIES MEETING:

Mayor Byrnes indicated the second item of business was to discuss the League of Minnesota Cities meeting that was held in Rochester on June 15-18, 1999. Attending the meeting on behalf of the City were Councilmembers Doyle, Rowe, Stores, Mayor Byrnes for one day and Director of General Services Barnett.

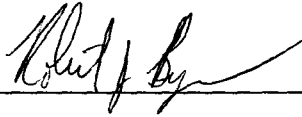
Councilperson Stores provided an overview of the sessions she attended which included: railroads in cities; downtown's; employee evaluations; city manager evaluations; closing city council meetings; and the Y2K issue. She found the sessions very informative and educational.

Councilperson Doyle indicated that the opening speaker – Dr. Cragun and the 14 hour a day economy were excellent sessions.

SPECIAL MEETING – AUGUST 16, 1999

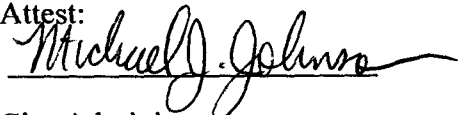
The members who attended indicated that materials for the sessions had to be requested vs. supplied with registration. They felt that it would be nice to get them in advance. There was also discussion on the desire to have the booths open for a second day.

Their being no further business, the meeting adjourned at 7:26 P.M.

A handwritten signature in black ink, appearing to read "Robert J. By", written over a horizontal line.

Mayor of the City of Marshall

Attest:

A handwritten signature in black ink, appearing to read "Michael J. Johnson", written over a horizontal line.

City Administrator

REGULAR MEETING – AUGUST 16, 1999

The regular meeting of the Common Council of the City of Marshall was held on August 16, 1999 in the Council Chambers of the Marshall Municipal Building. The meeting was called to order at 7:30 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Rowe, Doyle, Edblom, Reynolds, Boedigheimer and Stores. Absent: none. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Keith Nelson, Director of Public Works/City Engineer; Thomas M. Meulebroeck, Financial Director/City Clerk; Dave Marks, Fire Chief; Dale Howe, Building Official and Jane DeVries, Deputy City Clerk.

The Pledge of Allegiance was recited at this time.

APPROVAL OF THE AGENDA:

It was the general consensus that the agenda be approved with the consideration of new membership to the Marshall Fire Department being the first item of consideration under new business.

APPROVAL OF THE MINUTES:

Rowe moved, Doyle seconded, that the minutes of the regular meeting held on August 2, 1999 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

AWARD OF BIDS:

Bids were received, opened and read for the 1999 Industrial Park Improvement Project. The bids received, opened and read were as follows:

R & G Construction
Marshall, Minnesota
\$1,833,938.25

Duinick Brothers
Prinsburg, Minnesota
\$1,842,985.23

H & W Contracting, LLC
Sioux Falls, South Dakota
\$1,908,335.40

MidStates Utilities
Slayton, Minnesota
\$1,974,367.40

Quam Construction
Willmar, Minnesota
\$2,141,657.70

Mr. Tom Osterberg from Marshall Industrial Development Committee was in attendance at the meeting and reviewed with the council this project. This proposed park will provide 4 lots of 2.3 acres each immediately and the remaining 16 lots will be developed when needed. It was indicated that an additional strip of land needs to be acquired to allow for the construction of the storm sewer outlet to the Diversion Channel. It was indicated that the extension to the airport would be part of the 2000 budget request. It was also indicated that the cost of this project would be assessed to the affected property owners. Stores moved, Edblom seconded, the bid for the 1999 Industrial Park Improvement Project be awarded to R & G Construction, Marshall, Minnesota in the amount of \$1,833,938.25. All voted in favor of the motion.

LEGISLATIVE AND ORDINANCE COMMITTEE:

Brian Murphy, City Attorney, reviewed the proposed ordinance for regulating the keeping and licensing of dogs within the City. He indicated that this ordinance provides for designated veterinarians

REGULAR MEETING – AUGUST 16, 1999

to sell dog licenses. Gail Bofferding, Lyon County Humane Society, indicated that Subd. 7 states that the dog shall be disposed of according to Minnesota Statutes in existence at the time. Gail indicated that they would like Subd. 7 changed to indicated that after 5 days the dogs become the property of the Humane Society. Gail also indicated that they need to discuss other animals such as cats, rabbits, etc. Rowe moved, Doyle seconded, the adoption of ORDINANCE NUMBER 417, SECOND SERIES and that the reading of the same be waived. Ordinance Number 417, Second Series is an ordinance amending certain sections of the City Code regulating the keeping and licensing of dogs within the City of Marshall. Subd. 7 and 8 was changed to allow ownership of the dog to be transferred to the Lyon County Impound Center. All voted in favor of the motion, except Boedigheimer who voted no.

Upon the recommendation of the Legislative and Ordinance Committee, Rowe moved, Edblom seconded, the adoption of ORDINANCE NUMBER 418, SECOND SERIES and that the reading of the same be waived. Ordinance Number 418, Second Series is an ordinance amending certain sections of the City Code regulating the size of the Planning Commission for the City of Marshall. This ordinance provides for the Planning Commission to be composed of seven members. All voted in favor of the motion.

PERSONNEL COMMITTEE:

Upon the recommendation of the Personnel Committee, Doyle moved, Stores seconded, the adoption of ORDINANCE NUMBER 419, SECOND SERIES and that the reading of the same be waived. Ordinance Number 419, Second Series is an ordinance amending the salaries and compensations of the Mayor and Councilpersons for the City of Marshall. This ordinance is effective January 1, 2000 and provides for the Mayor's salary to be \$502.79 per month and the Councilmembers salary to be \$363.13 per month. All voted in favor of the motion.

MARSHALL FIRE DEPARTMENT – NEW MEMBERSHIP:

Upon the recommendation of Dave Marks, Fire Chief, Stores moved, Boedigheimer seconded, that Ali M. Jaffery, Dan W. Hisken, Todd W. Hisken, Nathan D. Prosser, Patrick M. Rigg and Jason A. Rokeh be added to the Marshall Fire Department and that Jon J. DeVlieger and Terry J. Martindale be put on an 18-month waiting list for the Marshall Fire Department. The addition of these 6 members will bring the total number of firemen to 45. All voted in favor of the motion.

CONDITIONAL USE PERMIT – VI JESERITZ:

Upon the recommendation of the Planning Commission Doyle moved, Reynolds seconded, that Vi Jeseritz be granted a five-year renewal of a Conditional Use Permit for a home occupation for a drapery business in an R-1 One Family Residence District at 505 Elaine Avenue. All voted in favor of the motion.

CONDITIONAL USE PERMIT – SUSAN POCHARDT:

Upon the recommendation of the Planning Commission Edblom moved, Reynolds seconded, that Susan M. Pochardt be granted a five-year renewal of a Conditional Use Permit for a home occupation for a beauty shop business in an R-1 One Family Residence District at 202 East Redwood Street. All voted in favor of the motion.

CONDITIONAL USE PERMIT – LISA SHERMAN:

Upon the recommendation of the Planning Commission Doyle moved, Reynolds seconded, that Lisa Sherman be granted an initial one year Conditional Use Permit for a home occupation to operate a

REGULAR MEETING – AUGUST 16, 1999

massage therapy business in an R-1 One Family Residence District at 301 George Street. All voted in favor of the motion.

CONDITIONAL USE PERMIT – MASER'S PLAN LLP:

Dale Howe, Building Official, reviewed the request of Master's Plan, LLP for a Conditional Use Permit for a 12-unit multi-family dwelling in an R-3 Low to Medium Density-Multiple Family Residence District. It was indicated that Keith Nelson, Director of Public Works/City Engineer, is part owner and therefore has assigned his responsibility for staff recommendations and other actions over to the Building Official Dale Howe. Dan Stewert, a representative from Master's Plan, LLP, was in attendance at the meeting. He indicated that each of these units would be individually owned. Councilperson Boedigheimer stated that this is not a multiple dwelling if each unit is owned individually. Lori Timmerman, 1001 Woodfern Drive, was in favor of this project if the units were individually owned, but not as an apartment building. Upon the recommendation of the Planning Commission Boedigheimer moved, Edblom seconded, the approval of Master's Plan LLP for a Conditional Use Permit for a 12-unit multi-family dwelling in an R-3 Low to Medium Density-Multiple Family Residence District at 816 West Southview Drive with each unit being individually owned. All voted in favor of the motion.

DRUG TASKFORCE MUTUAL AID AGREEMENT:

Upon the recommendation of Rob Yant, Director of Public Safety, Boedigheimer moved, Stores seconded, the approval of the updated Brown, Lyon and Redwood County Drug Taskforce Mutual Aid Agreement. This updated version provides for minor word changes only. All voted in favor of the motion.

NORTH MEMORIAL MEDICAL TRANSPORTATION – 6 MONTH REPORT:

Buck McAlpin, Operations Manager, was in attendance at the meeting to review the past 6 months operation of Marshall's North Memorial Medical Transportation. Buck indicated that there are some major changes that will take effect in the next few years which will greatly affect the EMS industry and how they are reimbursed. Highlights for the first 6 months of 1999 include:

- 1999 type III ambulance purchased for Marshall
- 1999 Chevrolet Astro van purchased for EMS education
- Sold and gave away another 350 bike helmets for a three year total of 1500 in Region
- EMS education working with MNSCU towards a joint contract for education at the new training facility
- Two new stretchers purchased for Marshall
- Three new Laptop computers purchased for office
- Run volumes have increased from last year
- Painted interior of ambulance garage
- Replaced all the outdated CPR Annies and Education equipment
- Replaced portable radios and some more ambulance pagers
- Donated two portable radios to Marshall PD for new staff
- Have been actively involved with Explorer post

INSURANCE AD-HOC COMMITTEE:

Sheldon Kimpling, representative from the Insurance Ad-Hoc Committee, was in attendance at the meeting to discuss the Y2K insurance coverage. Sheldon indicated that upon the renewal of the city insurance coverage they would have \$25,000 of coverage for Y2K, which would include defense cost.

REGULAR MEETING – AUGUST 16, 1999

He indicated that the league has expanded coverage, which would cost the city approximately \$10,000 for two years. A decision will be made on the Y2K insurance coverage at the time of insurance renewal.

Discussion took place at this time on the utilizing of Value Resources Management, Inc., to appraise the buildings owned by the City of Marshall. It was indicated that within the next three years LMCIT will require all buildings be appraised. LMCIT has signed an agreement with Value Resources Management, Inc., to provide this service. VRMI will complete a physical appraisal of every building with a value of greater than \$500,000 at no cost to the city. The city has the option of providing VMRI building details of buildings under \$500,000 or for a small fee have the building physically appraised. It was the general consensus of the council that they utilize VMRI for all of the City of Marshall Buildings.

COMMUNITY DEVELOPMENT ADVERTISING GRANT – BRESNAN COMMUNICATION:

Mary Larson, Bresnan Communication, was in attendance at the meeting and introduced Dan Boerner, General Manager of Data & Telephone for the City of Marshall, and John Wade, Vice President for Midwest Community Development. John Wade presented the City of Marshall with an Advertising Grant in the amount of \$30,000 for 30-second advertising spots to be aired over Bresnan systems in Minnesota to promote Marshall. The aired spots can target the community, civic, recreation opportunities, in addition to economic and industrial development. Mr. Wade also presented the City of Marshall with a check in the amount of \$25,000 to cover the legal costs incurred by the city during recent legal proceedings brought by Bresnan. They continue to believe strongly in the validity of their position regarding the granting of a franchise to the Dakota Telecommunications Group (DTG), they do not believe that the local taxpayers should suffer financial consequences.

Mayor Byrnes called for a 5-minute recess at this time.

Dan Boerner, General Manager of Data & Telephone for the City of Marshall, indicated that the Marshall Baseball Association received an advertising grant in the amount of \$2,500 and that they were working on a similar grant for SSU.

RENTAL LEASE AGREEMENT WITH MINNESOTA WEST:

Discussion was held at this time on Minnesota West leasing space in the Marshall Municipal Building. They are interested in the area that will be vacated by the Police Department and the Redwood room in the basement. Roger Fransen, Minnesota West, indicated that they currently have 5 locations and would like to add Marshall. The plans are to house approximately 5 MNSCU staff in the area of the police department. They will use the Redwood Room as a computer lab with approximately 18 computers. Rowe was concerned about the hours that they would open and about the air quality of the Redwood room with all of those computers. Doyle moved, Reynolds seconded, the proper city personnel be authorized to enter into a Lease Agreement with Minnesota West for the area previously occupied by the Police Department on the main floor of the Municipal Building and the Redwood Room in the basement of the Municipal Building. All voted in favor of the motion.

STREET IMPROVEMENTS – REHKAMP FUNERAL HOME:

Boedigheimer moved, Stores seconded, the adoption of RESOLUTION NUMBER 2130, SECOND SERIES and that the reading of the same be waived. Resolution Number 2130, Second Series is a resolution ordering the improvement and preparation of plans for improvements of North 5th Street between the Southwest right of way line of Lyon Street and the property line 85 feet Southwesterly. At

REGULAR MEETING – AUGUST 16, 1999

the request of Rehkamp Funeral Home this resolution provides for the curb, gutter and sidewalk adjacent to their property to be replaced and they be assessed for it. All voted in favor of the motion.

1999 BUDGET ADJUSTMENTS:

Boedigheimer moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2131, SECOND SERIES and that the reading of the same be waived. Resolution Number 2131, Second Series is a resolution reallocating budget amounts for fiscal year ended December 31, 1999. All voted in favor of the motion.

BEER LICENSE – MARSHALL AMATEUR HOCKEY ASSOCIATION:

Rowe moved, Stores seconded, the approval of a Temporary On-Sale Non-Intoxicating Beer License for the Marshall Amateur Hockey Association for September 11, 1999 at the Fairgrounds Hockey Arena for an All-State Wrestling Event/Hockey Fundraiser and for September 18, 1999 at the Fairgrounds 4-H Building for their annual Hog Roast/Fundraiser at a fee of \$25.00 for each event. All voted in favor of the motion.

BEER LICENSE – SOUTHWEST STATE UNIVERSITY ALUMNI ASSOCIATION:

Rowe moved, Edblom seconded, the approval of a Temporary On-Sale Liquor License for the Southwest State University Alumni Association for operation at the Mattke Field parking area on Saturday, October 2, 1999, during SSU's Homecoming at a fee of \$25.00. All voted in favor of the motion.

GAMBLING PERMIT RENEWAL – VFW POST 742:

Edblom moved, Stores 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 renewal of the Gambling License for the VFW Post 742 for operation at 1507 East College Drive, Marshall, Minnesota. All voted in favor of the motion.

TRANSIENT MERCHANTS LICENSE – INTERNATIONAL MARKETING GROUP:

Rowe moved, Doyle seconded, the approval of a transient merchant's license for International Marketing Group DBA Style Shots. This license is for glamour photography sessions which were held in Marshall on August 4 – 8, 1999 at the Travelers Lodge. The fee for this license is \$250.00 and will expire on December 31, 1999. Style Shots was allowed to operate in Marshall prior to the license being approved, due to wrong information being provided to them. All voted in favor of the motion.

TRANSIENT MERCHANTS LICENSE – HOMIER DISTRIBUTING:

Stores moved, Edblom seconded, the approval of a transient merchant's license for Charles Homier, Jr., DBA Homier Distributing Company at a fee of \$250.00. Homier Distributors will conduct a sale on September 11, 1999 at the National Guard Armory for the sale of tools and miscellaneous merchandise. This license will expire on December 31, 1999. All voted in favor of the motion.

PLUMBERS LICENSE – TOTAL MECHANICAL SERVICES, INC.:

Stores moved, Rowe seconded, the approval of a plumbers license for Charles Rosenberger DBA Total Mechanical Services, Inc., at a fee of \$50.00. This license will expire on March 31, 2000. All voted in favor of the motion.

PARADE PERMIT – SSU HOMECOMING:

Edblom moved, Stores seconded, that the request from Southwest State University to close East Main Street from Lyon Street to 5th Street for SSU's Homecoming Parade be approved for Saturday, October 2, 1999. The parade will start at 10:00 A.M. and will last approximately one hour. All voted in favor of the motion.

PARADE PERMIT – PURSUIT OF EXCELLENCE:

Stores moved, Edblom seconded, that per the request for the Pursuit of Excellence-Marshall Band Boosters that Main Street from 5th Street to 1st Street be closed for a parade on Saturday, September 18, 1999. This parade will start at Fifth and Main Street, proceed down Main Street to First Street, turn right and proceed one block and end at First Street and Marvin Schwan Memorial Drive. The parade will begin at 11:30 A.M. and will last approximately one and one-half hours. All voted in favor of the motion.

MAYOR AND COUNCIL REPORTS:

Reports by the Mayor and Councilmembers of the various committees, commissions and boards were as follows:

- Byrnes EDA and Fire Relief Association have not met; Regional Development Commission will meet on Thursday.
- Stores Community Services Advisory Board met last week and discussed the community center; Jt. Ice Facility Board provided a history of the facility and it was suggested that the school and city be more involved.
- Edblom Cable Commission and Planning Commission met last week; Utilities Commission will meet on Tuesday; and the Personnel Committee will meet on August 23, 1999.
- Boedigheimer Airport Commission minutes are included in the agenda packet; Senior Citizen Center Commission, Lyon County Enterprise Development, Jr. LEC, Public Improvement/Transportation Committee no reports.
- Doyle Housing Commission, Human Rights Commission and Convention & Visitors Bureau minutes are included in the agenda packet; Transit Committee has not met.
- Rowe Insurance Advisory Committee, Library Board and Legislative & Ordinance Committee have not met.
- Reynolds Hospital Board the minutes from the July 19, 1999 meeting were provided to the councilmembers.

COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Councilmembers included: the Lyon County Fair and the Prairie Arts Festival were held last weekend and went very well; the Relay for Life will be held this weekend at the Lyon County Fairgrounds; the sidewalk issue and

REGULAR MEETING – AUGUST 16, 1999

2 off street parking stalls per unit needs to be discussed; the dry weather has had an effect on the Dutch Elm Disease; the Downtown Steering Committee discussed the downtown sidewalks being in bad shape; the Minneapolis paper recently had an article on downtown development; the trees in the downtown area need to be watered; it was suggested that the council hold a pre-meeting 15 minutes before the regular meeting to allow the public time to address the council with any issues they may have.

BILLS/PROJECT PAYMENTS:

Edblom moved, Stores seconded, and it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 20796 through 20977.

BUILDING PERMITS:

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

Marshall Square Shopping Center Limited Partnership	1420 East College Drive	Interior Remodel/Space 900	\$90,000
Charles P. & Sharon M. Buysse	422 Legion Field Road	Second Story Addition	\$25,000
Ron Jensen	109 Parkview Drive	Garage Addition	\$17,000
Tom Blomme	503 Williams Street	Demolish Dwelling	\$0
Tom Blomme	503 Williams Street	Dwelling / Additional Work	\$39,400
Justin & Kim Thordson	1004 Cheryl Avenue	Reside Dwelling and Install Door	\$2,000
Babcock Construction	702 Scott Street	Reside Dwelling	\$6,000
Denison Construction	604 West Thomas Avenue	Reroof Dwelling	\$2,500
Marie Berg Schmahl	302 South 6th Street	Reroof Dwelling	\$6,100
Charles & Jessica Wanserski	203 South 4th Street	Remodel Partition	\$100
Steven W. Meyer	402 Kossuth Street	Remodel Roof and Reroof Porch	\$2,200
Greig & Gregerson	307 West Marshall Street	Reroof	\$4,500
Greig & Gregerson	413 North 7th Street	Interior Remodel, Replace Windows	\$4,000
Greig & Gregerson	306-308 North 4th Street	Replace Front Step	\$600
Babcock Construction	901 Boxelder Avenue	Reside Garage	\$2,000
LeRoy Conyers	111 South High Street	Garage	\$12,300
Joan B. Haugen	110 Parkview Drive	Addition	\$13,000
Mike Schultz	307 Lawrence Street	Reside Dwelling	\$1,600
Robert Gould	412 North 7th Street	Deck	\$300
Denny Miller Construction	1310 Birch Street	Window Replacement	\$12,200
Steve & Julie Martin	107 Circle Drive	Window Replacement	\$700
Mark DeAustin	304 Hudson Avenue	Remodel Bathroom	\$1,000
Daniel F. Schwab	304 Timberlane Drive	Manufactured Home Installation	

At this time Mike Johnson took this opportunity to thank Tom Meulebroeck for all of his hard work as Chairperson of the Lyon County Fairboard. The council was informed of a Joint City/County meeting that will be held at 5:30 P.M. on Wednesday, August 18, 1999.

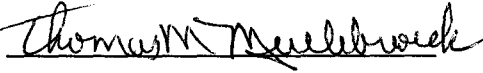
REGULAR MEETING – AUGUST 16, 1999

Upon motion 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 – SEPTEMBER 7, 1999

The regular meeting of the Common Council of the City of Marshall was held on September 7, 1999 in the Council Chambers of the Marshall Municipal Building. The meeting was called to order at 7:30 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Doyle, Rowe, Edblom, Reynolds, Boedigheimer and Stores. Absent: none. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Keith Nelson, Director of Public Works/City Engineer; Thomas M. Meulebroeck, Financial Director/City Clerk; Harry Weilage, Director of Community Services; Calvin Barnett, City Assessor; and Jane DeVries, Deputy City Clerk.

The Pledge of Allegiance was recited at this time.

APPROVAL OF THE AGENDA:

It was the general consensus of the council that the agenda be approved with the addition of item 14a which is the consideration of a resolution approving a special law of the State of Minnesota permitting the City of Marshall to issue four additional on-sale intoxicating liquor licenses and item 14b which is a request for out-of-state travel for Bob VanMoer.

PROCLAMATION – RAY BALDWIN:

At this time Mayor Byrnes read the Proclamation honoring Ray Baldwin and his many achievements as a resident of the City of Marshall and declaring the week of September 6, 1999 through September 11, 1999 as Ray Baldwin Week in Marshall, Minnesota. Mr. Baldwin will celebrate his 100th birthday on September 11, 1999.

APPROVAL OF THE MINUTES:

Rowe moved, Doyle seconded, that the minutes of the special meeting held on August 16, 1999 and the minutes of the regular meeting held on August 16, 1999 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

PUBLIC HEARING:

This was the date and time set for a public hearing on the Small Cities Grant Application to Minnesota Department of Trade and Economic Development. Mr. Rick Goodemann from Southwest Minnesota Housing Partnership was in attendance at the meeting to review the budget for the grant application, the proposed program guidelines, and the proposed target area. The program application includes a commercial business loan program; a mixed used rental loan program, a rental rehabilitation program and an owner occupied rehabilitation program. Councilperson Stores indicated that the Downtown Redevelopment Committee spent a great deal of time on this project. Councilperson Boedigheimer questioned what happens to an owner occupied property that applies for a loan and later sells the property. It was indicated that a lien is placed in the property. Boedigheimer was also concerned with the parking issue with rental units above business places. Greg Taylor asked how many mixed-use rental units (defined as buildings that combine residential rental units and commercial business units) will be rehabilitated. Mr. Goodemann indicated that they have budgeted for 22 units at \$13,600 each. Mr. Goodemann also indicated that there were 94 businesses that signed up for the program, but they would not be able to apply for all of these at this time. There were no other questions or concerns, therefore Doyle moved, Edblom seconded, the public hearing be closed. All voted in favor of the motion.

Stores moved, Boedigheimer seconded, the approval of the Small Cities Development Program Application. All voted in favor of the motion.

REGULAR MEETING – SEPTEMBER 7, 1999

Rowe moved, Stores seconded, that the Program Guidelines for the City of Marshall Downtown Revitalization be approved. All voted in favor of the motion.

Doyle moved, Stores seconded, the adoption of RESOLUTION NUMBER 2132, SECOND SERIES and that the reading of the same be waived. Resolution Number 2132, Second Series is a resolution Identifying "Slum and Blighting" Conditions within the City of Marshall. All voted in favor of the motion.

Edblom moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2133, SECOND SERIES and that the reading of the same be waived. Resolution Number 2133, Second Series is a resolution Authorizing Submittal of a Small Cities Grant Application to the Minnesota Department of Trade and Economic Development. All voted in favor of the motion.

FINAL PLAT – WILKE-MILLER-BUESING FIRST ADDITION:

Stores moved, Rowe seconded, the adoption of RESOLUTION NUMBER 2134, SECOND SERIES and that the reading of the same be waived. Resolution Number 2134, Second Series is a resolution approving the Final Plat of Wilke-Miller-Buesing First Addition. All voted in favor of the motion.

Doyle moved, Reynolds seconded, the approval of the reapportionment of special assessments from the property owned by Timmy and Donna Swenson to the property in the Wilke-Miller-Buesing First Addition. This resolution provides for assessments to parcel no. 27-604142-1 and/or 27-605009-0 to be allocated to parcel numbers 27-982001-0 through 27-982009-0. All voted in favor of the motion.

REZONE WILKE-MILLER-BUESING FIRST ADDITION:

This was the date and time set for a public hearing on the rezoning of Wilke-Miller-Buesing First Addition from B-3 (General Business District) to R-1 (One Family Residence District), R-3 (Low to Medium Density-Multiple Family Residence District), R-4 (Higher Density-Multiple Family Residence District), and B-3 (General Business District). Keith Nelson, City Engineer/Director of Public Works, reviewed this request with the council and others in attendance. There were no objections therefore Edblom moved, Doyle seconded, the adoption of ORDINANCE NUMBER 420, SECOND SERIES and that the reading of the same be waived. Ordinance Number 420, Second Series is an ordinance amending Chapter 11 of the City Code relating to zoning. All voted in favor of the motion.

MARSHALL ACTION PLAN (M.A.P.):

At this time members of the Marshall Action Plan, Jim Babcock, Paul Rehkamp and Steve Titus, provided an information presentation of the committees report and recommendations. The recommendations of the Marshall Action Plan are: to construct affordable housing; revitalize downtown Marshall and to construct a public golf course. Stores moved, Rowe seconded, that the City of Marshall accept the Marshall Action Plan and thanked the members for all of their hard word. Councilperson Boedigheimer indicated that this plan should also be presented to the Marshall School Board, Lyon County Board of Commissioners, the Rotary and other Civic Groups. All voted in favor of the motion.

PARTNERSHIP AGREEMENT WITH MMU:

Edblom moved, Rowe seconded, the approval of the Partnership Agreement between the City of Marshall and Marshall Municipal Utilities. This agreement is for the payments/charges

REGULAR MEETING – SEPTEMBER 7, 1999

between the City of Marshall and Marshall Municipal Utilities for the calendar year 2000. A summary of the agreement is as follows:

MMU payment in lieu of taxes	\$699,361
MMU contribution for MERIT Project	\$ 15,000

Less street lighting charges to be paid to MMU (1)	\$151,000
Less fire protection charges (1)	\$145,000
Less transfer to MERIT Project	\$ 15,000

Net payment to City after charges paid to MMU and transfer	\$403,361
---	-----------

(1) charges based on MMU's audit

It was also indicated that the Commissioners stipend be increased to \$100 per quarter. All voted in favor of the motion.

Mayor Byrnes called for a 5-minute recess at 8:38 P.M.

Mayor Byrnes excused himself from the meeting and designated President Pro-Tem Stores to conduct the remainder of the meeting.

Greg Sherman, Manager of Marshall Municipal Utilities, updated the city council on the home alarm system that they are considering.

AGREEMENT WITH MN/DOT REIMBURSEMENT MOWER FOR AIRPORT:

Doyle moved, Rowe seconded, the adoption of RESOLUTION NUMBER 2135, SECOND SERIES and that the reading of the same be waived. Resolution Number 2135, Second Series is a resolution which provides Authorization to Execute the Minnesota Department of Transportation Grant Agreement for Airport Improvement. This grant agreement provides for MN/DOT to reimburse the City of Marshall \$7,604.10 of the \$12,673.50 purchase price of a 20-foot flexible mower for the Marshall Municipal Airport. All voted in favor of the motion.

FINAL PLAT MALL STREET ADDITION:

Boedigheimer moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2136, SECOND SERIES and that the reading of the same be waived. Resolution Number 2136, Second Series is a resolution approving the Final Plat of Mall Street Addition. All voted in favor of the motion.

REAL ESTATE PURCHASE AGREEMENT – SUBY:

Rowe moved, Doyle seconded, the approval of a Real Estate Purchase Agreement between the City of Marshall and Tom Suby for the Marshall Flood Control Project. This agreement provides for the City of Marshall to pay Mr. Suby \$27,265.00. All voted in favor of the motion.

LIBRARY UPDATE:

Mr. Richard Mac Donald, Director Marshall-Lyon County Library, provided the council and others in attendance at the meeting an update of the Teen Program and other activities of the Library.

OUT-OF-STATE TRAVEL – COMMUNITY SERVICES:

Edblom moved, Reynolds seconded, the approval of out-of-state travel for Harry Weilage, Director of Community Services, to attend the National Community Education Fall Conference in Orlando, Florida on December 1, 1999 through December 4, 1999. Mike Johnson, City Administrator, took this opportunity to thank Harry Weilage and his staff on their hard work during the Amateur Baseball Tournament held in Marshall. Mr. Weilage thanked him and took this opportunity to thank the Marshall Baseball Association for all of their hard work also.

TRANSIENT MERCHANTS LICENSE – WILLMAR HEARING AID CENTER INC.

Jerry Meinders, Willmar Hearing Aid Center, Inc., was in attendance at the council meeting. Mr. Meinders indicated that he did not feel he was a transient merchant and therefore should not be required to have a license. He indicated that he is already licensed by the State. Mr. Meinders also indicated that he felt the license fee should be pro-rated. Boedigheimer moved, Doyle seconded, the approval of a transient merchants license for Willmar Hearing Aid Center, Inc., and that the \$250 fee not be pro-rated and that the Legislative and Ordinance Committee review the transient merchant license and enforcement. All voted in favor of the motion.

BOARDS AND COMMISSIONS APPOINTMENTS:

Edblom moved, Doyle seconded, that Elias Soenen be appointed to the Senior Citizen Center Commission for a term to expire on May 1, 2002; and that the appointment to the Human Rights Commission and the Planning Commission be postponed until such time that the council can complete the interviews with all interested applicants. All voted in favor of the motion.

COMMITTEE APPOINTMENT FOR FUTURE LAND USE PLANNING WITH LYON COUNTY:

Rowe moved, Doyle seconded, Don Edblom; David Sturrock; Keith Nelson, City Engineer/Director of Public Works; Michael Johnson, City Administrator; and Brian Murphy, City Attorney; be appointed as representatives to work with representatives from Lyon County to explore future land use planning with Lyon County. All voted in favor of the motion.

ADDITIONAL ON-SALE INTOXICATING LIQUOR LICENSES:

Rowe moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2137, SECOND SERIES and that the reading of the same be waived. Resolution Number 2137, Second Series is a resolution Approving a Special Law of the State of Minnesota Permitting the City of Marshall, Minnesota to Issue Four Additional On-Sale Intoxicating Liquor Licenses. All voted in favor of the motion.

OUT-OF-STATE TRAVEL – WASTEWATER SUPERINTENDENT:

Edblom moved, Boedigheimer seconded, the approval of out-of-state travel for Bob VanMoer, Wastewater Superintendent, to travel to DeKalb, Illinois to tour the A.O. Smith manufacturing facility. This facility has a similar storage and mixing system as proposed for the biosolid storage and effluent filters for the City of Marshall. All voted in favor of the motion.

REGULAR MEETING – SEPTEMBER 7, 1999

MAYOR AND COUNCIL REPORTS:

Stores Community Services Board met last Wednesday.

Edblom Cable Commission, Planning Commission, Utilities Commission and Personnel Committee will meet in the next week or two; the Ways and Means Committee will meet on Thursday.

Boedigheimer Airport Commission will meet next Monday; Senior Citizen Center Commission will meet on September 13, 1999; Lyon County Enterprise Development met the end of July; Jt. LEC and Public Improvement/Transportation Committee have not met.

Doyle Housing Commission, Human Rights Commission, Convention and Visitors Bureau will meet later this month; the Transit Committee met in August and are still in need of storage for the buses and they are working on their budget.

Rowe Insurance Advisory Committee will meet later this month; Library Board will meet on Monday; Legislative and Ordinance Committee needs to set a meeting.

Reynolds Hospital Board will meet on September 20, 1999

COUNCILPERSON INDIVIDUAL ITEMS:

The compliance check on the selling of tobacco products was discussed; the Amateur Baseball Tournament was a success; Cities Week is coming up in the near future; the Community Services staff was thanked for all of their work on the Baseball Tournament; HABIT for Humanity will be holding a meeting at 7:00 P.M. on September 27, 1999; the Citizens Jury on Minnesota Property Tax Reform report is included in the agenda packet; there will be a Regional Cities meeting in Balaton on October 20, 1999.

PENDING AGENDA ITEMS:

It was indicated that the dates for the budget meeting have been added to the pending agenda items.

BILLS/PROJECT PAYMENTS:

Edblom moved, Doyle seconded, and it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE, Voucher no. 20977 through 21157.

BUILDING PERMITS:

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

Dakota Telecommunications Group	1507 East Lyon Street	Tower Base	\$5,000
True Value Home Center	419 North 3rd Street	Windows and Deck	\$6,600
Geske Building & Supply Co.	202 North Whitney Street	Siding & Window	\$5,000
Centers, Inc	1001 North Highway 23 By-Pass	Install Door	\$8,800
William Engler	613 Elaine Avenue	Utility Shed	\$3,300
Richard Binnebose Construction	1400 Carlson Street	Partial Reroof	\$600

REGULAR MEETING – SEPTEMBER 7, 1999

Curt Timmerman	1001 Woodfern Drive	Install Window	\$700
Dave Regnier	100 South 10th Street	Siding	\$2,000
Radio Shack	1115 East College Drive	Temporary Transportable Sign	\$500
Independent School District No. 413	600 East College Drive (East Side Elementary)	Replace Windows	\$28,000
The Sign Shop	1100 East College Drive	Install Signs	\$1,000
True Value Home Center	1401 Cumberland Road	Dwelling	\$110,000
True Value Home Center	1216 Patricia Court	Dwelling	\$80,000
Steven Baumann Construction	113 North 3rd Street	Replace Stairs	\$1,000
Steven Baumann Construction	304 Sunrise Lane	Addition and Interior Remodel	\$31,000
Daniel C. O'Neill	432 North 7th Street	Deck	\$1,000
David Meier	200 Elaine Avenue	Two-Family Dwelling	\$160,000
Johnson Construction	401 Mason Street	Reroof Dwelling	\$2,400
Weiner Memorial Medical Center	300 South Bruce Street	Storage Room Addition	\$10,000
Geihl Construction	805 DeSchepper Street	Dwelling	\$184,000
Ace Neon Signs & Service Co.	1507 East Lyon Street	Signs	\$8,600
True Value Home Center	503 North 6th Street	Reside Dwelling	\$5,800
Bruce Meyer	410 Lynd Street	Reside Dwelling	\$2,800
Geske Building & Supply Co.	400 South 1st Street	Install Doors	\$1,000
Thomas D. Werner	1110 West Main Street	Shop	\$55,000
Heartland Foods Co.	112 South 6th Street	Demolish Shelter Building	\$0
Heartland Foods Co.	112 South 6th Street	Demolish Bin	\$0
Heartland Foods Co.	112 South 6th Street	Demolish Storage Building	\$0
Heartland Foods Co.	112 South 6th Street	Demolish Shop Building	\$0
D&G Excavating, Inc.	1001 East Southview Drive	Move Out Warehouse	\$0
D&G Excavating, Inc.	905 East Southview Drive	Demolish Shop	\$0
Merle Richard Hess	309 South 6th Street	Deck	\$800
Jennifer Fox	303 Gray Place	Reside Dwelling/Replace Doors	\$3,500
Jon Schmit	1100 Alan Street	Reroof Dwelling	\$2,500
Steve & Molly Linstrom	1307 Greenview Place	Three Season Porch & Deck	\$10,000
Bruce & Linda Wittrock	601 Hudson Avenue	Deck and Install Door	\$2,000

There was a concern about the noise from dogs at the animal pound; it was indicated that the dispatch would be moving by the 1st part of October; and there will be an Insurance Advisory Committee meeting on September 16, 1999 at 8:00 A.M.

A motion was made and seconded that the meeting be adjourned. All voted in favor of the motion.



Mayor of the City of Marshall

REGULAR MEETING – SEPTEMBER 7, 1999

Thomas M. Meulbroeck
Finance Director/City Clerk

Maurice Stores
President Pro-Tem

SPECIAL MEETING – SEPTEMBER 9, 1999

A special meeting of the Common Council of the City of Marshall was held on September 9, 1999 in the Cottonwood room of the Marshall Municipal Building. The meeting was called to order at 7:05 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Rowe, Doyle, Edblom, Reynolds, Boedigheimer and Stores. Absent: none. Staff present included: City Administrator Mike Johnson, Director of General Services Cal Barnett, Director of Community Services Harry Weilage, City Engineer/Director of Public Works Keith Nelson, and Finance Director/City Clerk Thomas Meulebroeck.

The purpose of this special meeting was to review the proposed general fund budget for the year 2000, to adopt a proposed general fund budget for the year 2000 and adopt the preliminary tax levy for the year 2000.

Mike Johnson, City Administrator, gave a brief overview of the proposed general fund budget for the year 2000. Mike indicated that the local performance aid will be eliminated with the year 2000 and that this aid will be adjusted in the Local Government Aid. The net effect of the Local Government Aid, HACA and Local Performance Aid is projected at a \$38,292 increase for the year 2000. The projected increase in contribution from the Marshall Municipal Utilities is \$99,596, the proposed general tax levy increase is \$51,485 and increased library levy is \$8,379. The project increase in personnel services includes a 3% wage increase, a 35% increase in health insurance and a substantial increase in the dental insurance and additional police officers for the grants approved for the Public Safety Department. The operations and maintenance provides for approximately a 2% increase which is contributed to inflationary and in the Capital Expense category there are some major requests within this category; the transfers are slightly down for the year 2000 in comparison to 1999.

Mike addressed some of the projects that the city has been working on in the past year which include: Housing, Planning and Development, Wastewater Treatment Facility, Industrial Parks, Flood Control, North 7th Street Bridge, a Community Center, a Downtown Park, Downtown Redevelopment, Small Cities Grant, Affordable Housing Grant (EDA), Cable TV Franchise Renewal, Ditch 62/Flood Control Land Reuse Plan) Golf Course, Municipal Building future, Community/Economic Development and the MERIT Center construction. The proposed budget that has been submitted does not reflect a natural gas franchise fee or a provision for a Director of Planning. The total projected levy is up approximately 2.75%. Optional coverage's for health insurance was discussed.

Each of the division heads were given an opportunity to address any major changes that were included in their areas of the proposed budget for the year 2000. Cal Barnett, Director of General Services, briefly commented on the impact of new construction and the effect that this would have on the levy and net tax capacity for the city. General Government Services Division - there were no major requests included in this part of the budget except for the \$20,000 capital expenditure item for the upgrade in microfilm equipment.

Harry Weilage, Director of Community Services, commented on some of the major capital expenditures included in his budget which included the replacement of the swimming

SPECIAL MEETING – SEPTEMBER 9, 1999

pool floor for approximately \$65,000; the construction of a parks maintenance building which is projected at \$29,000; the resurfacing of the tennis courts and the potential of working out some agreement with the college and the high school. Harry indicated that there is a material that could be used to overlay the 6 tennis courts at a cost of approximately \$90,000. Harry also addressed some public landscaping costs he had included in his capital expenditure budget.

Keith Nelson, Director of Public Works/City Engineer, addressed some of the major expenditures included in the public works budget which included the survey station within the Engineer department which is projected at a cost of \$10,000; and the purchasing of a replacement pickup for his staff at a cost of approximately \$18,000. Within the Street Department budget there is a request for a salt/sand storage building which is planned to be constructed at the Mn/DOT location and the city would participate in the cost of this facility. This facility is being proposed primarily for environmental concerns. Keith addressed the capital expenditures included in the Airport budget which included an arrival/departure building of \$500,000; water/sewer line extension of \$100,000; entrance/parking area \$220,000; and the acquisition of air rights for the gas loading facility and Helena Farm Center properties totaling \$320,000 and the purchase of a tractor and loader. There is an offsetting revenue of 60% from the State of Minnesota included in the budget for the Airport Capital Expenditures.

Mike Johnson on behalf of Rob Yant, Director of Public Safety, addressed some of the major capital expenditures for the Public Safety Department. Mr. Johnson indicated that the Public Safety budget includes officer positions to cover various grants. Also included in the Public Safety budgets are funds to cover the city share of the debt service for the Law Enforcement Center and also their portion of operation and maintenance of the new Law Enforcement Center.

Mr. Johnson briefly commented on the amount of money being transferred to the insurance reserve account and the capital equipment fund. Councilperson Stores suggested that the city council consider a contribution to the Marshall Area Fine Arts Center. Mike Johnson indicated that the safety committee budget has an increase of \$10,000 for the implementation of a safety program in conjunction with the Marshall Municipal Utilities Association. This program will provide staffing for 2 days per month to coordinate training.

Rowe moved, Boedigheimer seconded, the adoption of RESOLUTION NUMBER 2138, SECOND SERIES and that the reading of the same be waived. Resolution Number 2138, Second Series is a resolution adopting the preliminary tax levy payable for the year 2000. This resolution provides for a general levy of \$1,867,666 a library levy of \$366,057, and debt service levy of \$188,700 for a total levy of \$2,422,423. This resolution also provides for the establishment of the truth and taxation public hearing which is scheduled for 6:00 o'clock P.M. on Monday, December 6, 1999 with the continuation of the hearing if necessary to be held at 6:00 o'clock P.M. on Monday, December 13, 1999. All voted in favor of the motion.

Stores moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2139, SECOND SERIES and that the reading of the same be waived. Resolution Number 2139,

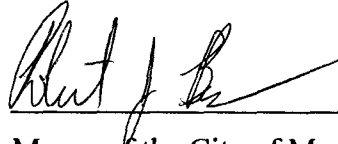
SPECIAL MEETING – SEPTEMBER 9, 1999

Second Series is a resolution adopting the proposed general fund budget for the year 2000. The proposed budget for the general fund provides for revenues of \$7,826,965 and expenditures of \$8,611,993 of which revenues will be supported by a proposed tax levy of \$2,233,723. All voted in favor of the motion.

Per the request of Mike Johnson, City Administrator, Stores moved, Reynolds seconded, the consideration of granting the proper city personnel authority to execute a LAWCON Grant in the amount of \$125,000 be added to the agenda. All voted in favor of the motion.

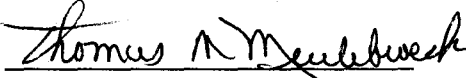
Doyle moved, Reynolds seconded, that the proper city personnel be authorized to execute a State of Minnesota Department of Natural Resources Outdoor Recreation Program Grant Number 0R00-017 for the construction of the city park including the acquisition, development of a shelter, restrooms, bridges, lighting and fencing. All voted in favor of the motion.

Upon made by Stores, seconded by Reynolds, the meeting was adjourned at 8:35 P.M. All voted in favor of the motion.



Mayor of the City of Marshall

ATTEST:



Finance Director/City Clerk

REGULAR MEETING – SEPTEMBER 20, 1999

The regular meeting of the Common Council of the City of Marshall was held on September 20, 1999 in the Council Chambers of the Marshall Municipal Building. The meeting was called to order at 7:32 P.M by Mayor Byrnes. In addition to Byrnes the following members were present: Rowe, Doyle, Edblom, Reynolds, Boedigheimer and Stores. Absent: none. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Dave Marks, Fire Chief; Kim Jergensen, Senior Engineer Technician; Thomas M. Meulebroeck, Finance Director/City Clerk; and Jane DeVries, Deputy City Clerk.

The Pledge of Allegiance was recited at this time.

APPROVAL OF THE AGENDA:

It was the general consensus of the council that the agenda be approved with the addition of item 14a, which is a letter of intent for Minnesota Municipal Utilities Association to construct and operate a utilities training center in Marshall; and item #5, which is the Marshall Volunteer Firefighters Relief Association report, being the first item of new business.

APPROVAL OF THE MINUTES:

Rowe moved, Doyle seconded, that the minutes of the regular meeting held on September 7, 1999 and the minutes of the special meeting held on September 9, 1999 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

MARSHALL VOLUNTEER FIREFIGHTERS RELIEF ASSOCIATION:

At this time Russ Labat, President of the Relief Association, reviewed with the council and others in attendance the audit report for the year ending December 31, 1998 and the proposed bylaw changes. Mr. Labat indicated that the fund performed quite well through their investments. Mr. Labat also indicated that they were requesting that the pension benefits be increased to the maximum allowed by State Statue of \$3500 per year of service effective January 1, 2000. Edblom moved, Reynolds seconded, that the request for change in the by-laws be refereed to the Ways and Means Committee. All voted in favor of the motion. The council also expressed their thanks to Russ Labat for this report.

REZONE 1210 AND 1206 WEST MAIN STREET:

City Administrator Mike Johnson, reviewed with the council the request from The 5968 Company to rezone the property located at 1210 and 1206 West Main Street from I-1 (Limited Industrial District) to B-3 (General Business District). Rowe moved, Doyle seconded, the introduction of an ordinance and called for a public hearing on the rezoning of the property located at 1210 and 1206 West Main Street. The public hearing was scheduled for 7:30 P.M. on Monday, October 4, 1999. Councilperson Boedigheimer questioned why a strip of land was being left zoned as I-1 (Limited Industrial District). It was indicated that there is a business located on this parcel of property. All voted in favor of the motion.

REZONE MARSHALL INDUSTRIAL PARK – PLAT 3:

City Administrator Mike Johnson, reviewed with the council the request to rezone Marshall Industrial Park – Plat 3 from A (Agricultural District) to I-2 (General Industrial District). This request is for the property that is intended for the emergency training facility. Doyle moved, Stores seconded, the introduction of an ordinance and called for a public hearing on the rezoning of the property located in Marshall Industrial Park – Plat 3 from A (Agricultural District) to I-2 (General Industrial District). The public hearing was scheduled for 7:30 P.M. on Monday, October 4, 1999. All voted in favor of the motion.

CONDITIONAL USE PERMIT – JANE BLOMME:

Per the recommendation of the Planning Commission, Edblom moved, Rowe seconded, the approval of a five-year renewal of a Conditional Use Permit for Jane Blomme to operate a beauty shop business at 807 North Bruce Street. All voted in favor of the motion.

INSURANCE AD HOC COMMITTEE:

Sheldon Kimpling, representative from the Insurance Ad-Hoc Committee reviewed with the council the property-auto-general liability insurance renewals and Y2K insurance coverage at a cost of \$217,747. Sheldon reviewed the premiums for the year 2000 and the cost of the Y2K insurance and that the Y2K insurance has to be purchased for 2 years or not at all. The cost of the Y2K insurance for the year 2000 is \$5,829. Sheldon indicated that by purchasing the Y2K insurance the City of Marshall would have additional coverage for any Y2K issues. Rowe moved, Doyle seconded, that the proper city personnel be authorized to renew the property-auto-general liability insurance and the Y2K insurance for the year 2000. Boedigheimer moved, Edblom seconded, the motion be amended to not include the Y2K insurance. Voting in favor of the amendment were Boedigheimer and Edblom. Voting against were: Doyle, Rowe, Reynolds, Byrnes and Stores. It was indicated that the Utilities couldn't purchase Y2K insurance on their own. All voted in favor of the original motion.

It was also indicated that Value Resources Management, Inc., will be appraising all of the city owned property.

FINANCIAL SUPPORT – MARSHALL AREA TRANSIT:

Thomas M. Meulebroeck, Financial Director/City Clerk, reviewed with the council the request from Western Community Action, Inc., for financial support from the City and the renewal of the agreement between them and the City of Marshall for M.A.T. operations. The City of Marshall has included in its 1999 budget \$15,000 for its share of M.A.T.'s operating expense and \$45,000 for a new vehicle with \$36,000 being reimbursed by the State; and for the year 2000 the City of Marshall has budgeted \$15,000 for its share of M.A.T.'s operating expense and \$10,000 for the City's share of a new vehicle (WCA purchases the vehicle and the City of Marshall reimburses them 20% of the local share). Doyle moved, Stores seconded, the proper city personnel be authorized to enter into an agreement with Western Community Action, Inc., for M.A.T. operations for the period October 1, 1999 through December 31, 2001 and that the City of Marshall provide financial support in the amount of \$15,000 for operations and \$10,000 for capital for calendar year 2000. All voted in favor of the motion.

MPCA 1999 ANNUAL EVALUATION & PLANNING SYSTEM – MARSHALL WWTF:

Robert VanMoer, Wastewater Superintendent, reviewed with the council and others in attendance the 1999 WWTP Annual Evaluation and Planning System Report. The sections and scores (where 0 is best and 100 is the maximum) were as follows:

Section one – Treatment System Physical Condition - score 10

Section three – Collection System – score 0

Section four – Biosolids – score 10

Section five – Septage – score 0

Section six – Treatment System Operation and Maintenance – score 0

Section seven – Financial and Ordinance Status – score 14

According to Mr. VanMoer "Section two" did not pertain to the City of Marshall.

APPOINTMENT OF AD-HOC COMMUNITY CENTER COMMITTEE:

At this time Mayor Robert Byrnes appointed the following people to the Ad-Hoc Community Center Committee:

Janet Vigna	Bob Verkinderen	Steve Titus
Ashley Swartz	Paul Rehkamp	Jean Haug
Gary Christianson	Carlos Mendez	Diane Halgerson
Dan Herrmann	Bob Barnhill	

The objective of this committee is to research and investigate appropriate programs for inclusion in a multi-purpose community center with the committee providing a status report pre preliminary report on the committee findings by December 31, 1999.

Boedigheimer was concerned why they were not asked for input into this committee. Stores indicated that this was requested at the last council meeting.

LEGISLATIVE AND ORDINANCE COMMITTEE:

Upon the recommendation of the Legislative and Ordinance Committee Rowe moved, Doyle seconded, the introduction of an ordinance amending the keeping and licensing of dogs. This ordinance provides for unclaimed dogs at the animal shelter to become property of the Humane Society of Lyon County. All voted in favor of the motion, except Boedigheimer who voted no.

Upon the recommendation of the Legislative and Ordinance Committee Rowe moved, Doyle seconded, the introduction of an ordinance amending the regulation of plumbers licensing. This ordinance provides for plumber to show proof to the City Clerk that they have complied with the bond and insurance requirements as required by the Minnesota Department of Health pursuant to Minnesota Statutes. All voted in favor of the motion.

MN/DOT AGREEMENT FOR “C” STREET AND EAST MAIN STREET:

Kim Jergensen, Senior Engineer Technician, reviewed with the council the proposed agreement with the State of Minnesota for the Turn Lane Construction and the installation of the Traffic Control Signal at the corner of “C” Street and East Main Street. The total cost of this project is \$189,658.45 of which the City of Marshall will pay \$73,500.00 (38.8%) and the state will pay \$116,158.45 (61.2%). David Spartz, 400 East Main Street, was concerned with the turn land on “C” Street not going all the way past his property. He felt that when he installed his driveway this would create a problem. Kim indicated that there would be no problem extending the turn lane past his property and that this could be handled as a change order once the project started. Edblom moved, Rowe seconded, the adoption of RESOLUTION NUMBER 2140, SECOND SERIES and that the reading of the same be waived. Resolution Number 2140, Second Series is a resolution authorizing the proper city personnel to enter Agreement No. 79048 which is the “C” Street/East Main Street Turn Lane Construction Agreement with MN/DOT. All voted in favor of the motion.

Rowe moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2141, SECOND SERIES and that the reading of the same be waived. Resolution Number 2141, Second Series is a resolution authorizing the proper city personnel to enter Agreement No. 79529R which is the “C” Street/East Main Street Traffic Control Signal Agreement with MN/DOT. All voted in favor of the motion.

TEMPORARY ON-SALE LIQUOR LICENSE – AMERICAN LEGION:

Edblom moved, Stores seconded, the approval of a 1 to 4 Day Temporary On-Sale Intoxicating Liquor License for the American Legion Post 113 to sell liquor at a fundraiser for

REGULAR MEETING – SEPTEMBER 20, 1999

Duck's Unlimited to be held on September 30, 1999 at the Marshall Armory, Marshall, Minnesota. All voted in favor of the motion.

APPOINTMENT TO COMMISSIONS:

Stores moved, Rowe seconded, that Carol Marshall be appointed to the Human Rights Commission for a term to expire on May 31, 2001; and Traci Toulouse be appointed to the Planning Commission for a term to expire on May 31, 2002. All voted in favor of the motion.

TEMPORARY LOANS FOR CORP OF ENGINEERS PROJECT:

Stores moved, Reynolds seconded, that loans be made from the following funds at 5% to Fund 481, Corp of Engineers Project:

September 21, 1999	General Fund	\$100,000
	Capital Equipment Fund	\$120,000
	Wastewater Operating Fund	<u>\$130,000</u>
		\$350,000
October 6, 1999	Liquor Fund	\$225,000
	Capital Equipment Fund	<u>\$155,000</u>
		\$380,000

All voted in favor of the motion.

LETTER OF INTENT-MARSHALL MUNICIPAL UTILITIES:

Edblom moved, Stores seconded, the approval of the Letter of Intent for Minnesota Municipal Utilities Association to begin construction on a utilities training center prior to execution of the final lease between the City of Marshall and Minnesota Municipal Utilities Association. This training center consists of approximately 20 acres of land adjacent to the South of the Marshall Emergency Response and Industrial Training (MERIT) Center. All voted in favor of the motion.

MAYOR AND COUNCIL REPORTS:

Reports by the Mayor and Councilmembers of the various committees, commissions and boards were as follows:

- Byrnes EDA, Fire Relief Association and Regional Development Commission have not met.
- Stores Community Services Advisory Board and Jt. Ice Facility Board have not met; Marshall Downtown Design Committee will meet Wednesday at 7:00 P.M. at Marshall Municipal Utilities.
- Edblom Cable Commission will meet next month; Utilities Commission will meet on Tuesday; Ways and Means Committee needs to meet; and Personnel Committee will be meeting on Wednesday.
- Boedigheimer Airport Commission meeting was cancelled; Senior Citizen Center Commission will meet on October 13th; Lyon County Enterprise Development, Jt. LEC, Public Improvement/Transportation Committee have not met.
- Doyle Housing Commission met last week and the Transit Committee items were discussed earlier in the meeting.

REGULAR MEETING – SEPTEMBER 20, 1999

Rowe Insurance Advisory Committee and Legislative & Ordinance Committee minutes are included in the agenda packet; Library Board discussed their fall programs and the carpet request; MERIT Committee has not met.

Reynolds Hospital Board – Group II Architects made a presentation on Phase 4 of the hospital improvements; WMMC would like to have a meeting with the city and the Ways and Means Committee in regard to the discussion of payment in lieu of taxes.

COUNCILPERSON INDIVIDUAL ITEMS:

There is a concern about the amount of noise from the animal impound center; the Pursuit of Excellence held on Saturday was a great success; the open house at Weiner Memorial Nursing Home was held on Sunday; Cities Week Appreciation will be held in October; the Dutch Elm Disease is becoming an issue; the status of the crossing lights being installed on Legion Field Road; there will be a League meeting on Friday, November 19, 1999 in the Twin Cities; and there was a concern with the downstream effect from the Army Corp of Engineers Project.

BILLS/PROJECT PAYMENTS:

Edblom moved, Reynolds seconded, and it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 21158 through 21326.

BUILDING PERMITS:

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

Independent Lumber of Marshall, Inc.	402 South Saratoga Street	Garage Addition & Interior Remodel	\$28,000
Gene E. Buss	507 Kenndall Street	Partial Roof - Windows	\$5,000
Hy-Vee, Inc.	904 East Main Street	Demolish Office / Retail / Repair Shop	\$0
Hy-Vee, Inc.	102 South "H" Street	Demolish Dwelling	\$0
Hy-Vee, Inc.	103 South "H" Street	Demolish Dwelling	\$0
Hy-Vee, Inc.	806 East Main Street	Demolish Dwelling	\$0
Sussner Construction, Inc.	1501 State Street	Loading Dock Remodeling / BA Building	\$158,300
Jamie Welsh	121 Spruce Lane	Replace Windows	\$1,000
Wilfred Hoffmann	621 Camden Drive	Reroof Dwelling	\$1,400
Carl & Elaine Hamner	622 South 4th Street	Replace Windows	\$7,500
Charles Carrera	103 Marlene Street	Reroof Dwelling	\$4,000
Donna Matthys	1105 West Main Street	Warehouse	\$69,000
Hiskin Construction & Handiman Service	805 North 4th Street	Reroof Dwelling	\$2,500
Schrunk Properties	905 East Southview Drive	Demolish Warehouse	\$0
Hy-Vee Weitz Construction L.C.	900 East Main Street	Retail Store	\$4,030,000

REGULAR MEETING – SEPTEMBER 20, 1999

Steve Mohwinkel	310 West Redwood Street	Deck	\$4,000
Gordon Edwards	201 North 11th Street	Warehouse	\$75,000
Daryl Scholten	207 West Southview Drive	Replace Windows	\$2,500
Babcock Construction	411 Lawrence Street	Reside Dwelling and Install Doors	\$3,800
Sussner Construction, Inc.	200 East College Drive / Suite 103	Remodel Office	\$31,900

Brian Murphy took this opportunity to introduce Bill Toulouse who has joined their Law Firm.


The Police Department has officially moved out of the Municipal Building as of today. Building closure and building security are issues that need to be resolved.

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



Mayor of the City of Marshall

ATTEST:



Financial Director/City Clerk

REGULAR MEETING – OCTOBER 4, 1999

The regular meeting of the Common Council of the City of Marshall was held on October 4, 1999 in the Council Chambers of the Marshall Municipal Building. The meeting was called to order at 7:30 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Doyle, Rowe, Edblom, Reynolds, Boedigheimer and Stores. Absent: none. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Keith Nelson, Director of Public Works/City Engineer; Thomas M. Meulebroeck, Finance Director/City Clerk; and Jane DeVries, Deputy City Clerk.

The Pledge of Allegiance was recited at this time.

APPROVAL OF THE AGENDA:

It was the general consensus of the council that the agenda be approved with the addition of item 11a, which is the consideration of a lease agreement between Minnesota West Community & Technical College and the City of Marshall.

Mayor Byrnes welcomed students from the Social Science Class at Southwest State University and members of the Boy Scout Troop 320.

APPROVAL OF THE MINUTES:

Stores moved, Edblom seconded, that the minutes of the regular meeting held on September 20, 1999 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

PUBLIC HEARING – 1210 AND 1206 WEST MAIN STREET:

This was the date and time set for a public hearing on the request of The 5968 Company to rezone 1210 and 1206 West Main Street from I-1 (Limited Industrial District) to B-3 (General Business District). Keith Nelson, Director of Public Works/City Engineer, reviewed this request with the council and others in attendance at the meeting. There were no concerns or objections, therefore Rowe moved, Doyle seconded, the hearing be closed. All voted in favor of the motion.

Doyle moved, Reynolds seconded, the adoption of ORDINANCE NUMBER 421, SECOND SERIES and that the reading of the same be waived. Ordinance Number 421, Second Series is an Ordinance amending Chapter 11 of the City Code Relating to Zoning. This ordinance provides for 1210 and 1206 West Main Street to be rezoned from I-1 (Limited Industrial District) to B-3 (General Business District). All voted in favor of the motion.

PUBLIC HEARING – MARSHALL INDUSTRIAL PARK PLAT 3:

This was the date and time set for a public hearing on the request of the City of Marshall to rezone Marshall Industrial Park – Plat 3 from A (Agricultural District) to I-2 (General Industrial District). Keith Nelson, Director of Public Works/City Engineer, reviewed this request with the council and others in attendance. Dick Carrow indicated that the excess water in this area goes into a holding pond and that the pond is not adequate and therefore causes flooding of the adjacent property that he farms. Brian Murphy, City Attorney indicated that this land is owned by Mrs. Mosch and he summarized the discussions that have taken place during the past several years in regard to water drainage. Councilperson Boedigheimer indicated that he was unaware there was a problem with this area. It was indicated that the Marshall Industrial Development Group was involved in these discussions. Doug Mosch indicated that he represents his mother and 5 brothers and sisters and they want this issue resolved. It was indicated that discussion would continue with all affected parties to resolve this concern. Doyle moved, Rowe seconded, the public hearing be closed.

REGULAR MEETING – OCTOBER 4, 1999

Boedigheimer moved, Stores seconded, that the ordinance not be adopted until such time that an agreement is approved by all parties involved with this property. Voting in favor of the motion was Boedigheimer. Voting against the motion was: Stores, Byrnes, Reynolds, Edblom, Doyle and Rowe.

Edblom moved, Stores seconded, the adoption of ORDINANCE NUMBER 422, SECOND SERIES and that the reading of the same be waived. Ordinance Number 422, Second Series is an ordinance Amending Chapter 11 of the City Code Relating to Zoning. This ordinance provides for the rezoning of Marshall Industrial Park – Plat 3 from A (Agricultural District) to I-2 (General Industrial District). All voted in favor of the motion, except Boedigheimer who voted no.

LEGISLATIVE AND ORDINANCE COMMITTEE – DOG ORDINANCE:

Doyle moved, Rowe seconded, the adoption of ORDINANCE NUMBER 423, SECOND SERIES and that the reading of the same be waived. Ordinance Number 423, Second Series is an ordinance Amending Certain Sections of the City Code Regulating the Keeping and Licensing of Dogs within the City of Marshall, Minnesota. This ordinance allows for impounded dogs to be transferred to the Humane Society of Lyon County in lieu of the Lyon County Impound Center. All voted in favor of the motion.

LEGISLATIVE AND ORDINANCE COMMITTEE – PLUMBERS LICENSING:

Rowe moved, Reynolds seconded, the adoption of ORDINANCE NUMBER 424, SECOND SERIES and that the reading of the same be waived. Ordinance Number 424, Second Series is an ordinance Amending 6.30 Regulating Plumbers in the City of Marshall, Minnesota. This ordinance allows for plumbers to provide proof to the City Clerk, prior to receiving a city license, indicating that they have complied with the bond and insurance requirements as required by the Minnesota Department of Health pursuant to Minnesota Statutes. All voted in favor of the motion.

PRAIRIE EXPO PRESENTATION:

Bob Demuth, Mayor for City of Worthington, and Leland Hain, Alderman for City of Worthington, were in attendance at the meeting and provided the City Council and others in attendance a presentation on the Prairie Expo Museum and Heritage Center that is being constructed at the junction of U.S. Highway 59 and Interstate 90. Prairie Expo is a nine-county project designed as a means to promote the regions rich and varied attractions.

CLEAR ZONE EASEMENT – HENRY SCHROEDER:

Rowe moved, Doyle seconded, the approval of a Clear Zone Easement with Henry Schroeder. This easement provides for area of land to remain clear of any buildings, structures, objects, growths, or assemblies of persons, other than air navigation facilities. The City of Marshall will pay Henry Schroeder \$5,400 for this clear zone easement. All voted in favor of the motion.

FARM LEASE – WAYNE DEBAERE:

Reynolds moved, Stores seconded, the proper city personnel be authorized to enter into a Farm Lease for crop year 2000 and 2001 with Wayne DeBaere. This lease is for approximately 177.3 acres at a fee of \$16,538.34 per year, which is due the City of Marshall by March 1st of each year. All voted in favor of the motion.

TAX RATE AUTHORIZATION FOR YEAR 2000:

Thomas M. Meulebroeck, Finance Director/City Clerk, reviewed with the city council the new law regarding the tax rate increase. Edblom moved, Rowe seconded, the adoption of RESOLUTION NUMBER 2142. SECOND SERIES and that the reading of the same be waived. Resolution Number 2142, Second Series is a Resolution for Tax Rate Authorization for the Year 2000. All voted in favor of the motion.

ENGAGEMENT AGREEMENT WITH MOSS & BARNETT – CABLE TV FRANCHISE TRANSFER:

Doyle moved, Reynolds seconded, the proper city personnel be authorized to enter into an Engagement Agreement with Moss & Barnett regarding the Cable TV Franchise transfer from Bresnan Telecommunication Company, LLC to Charter Holdco. The fee for this agreement will not exceed \$1,875. All voted in favor of the motion.

CONSUMPTION AND DISPLAY LICENSE – DAILY GRIND:

Boedigheimer moved, Stores seconded, the approval of a consumption and display license for J. & Wink Inc., DBA The Daily Grind for the period October 4, 1999 through March 31, 2000. The fee for this license is \$100.00 and there is also a state fee of \$150.00. All voted in favor of the motion.

PROCLAMATION – CITIES WEEK:

At this time Mayor Byrnes proclaimed October 10, 1999 through October 16, 1999 as Cities Week 1999 "Harvesting a Bright Future".

LEASE WITH MN-WEST:

Stores moved, Edblom seconded the proper city personnel be authorized to enter into a Lease Agreement between the City of Marshall and Minnesota West Community & Technical College. The lease is for the period October 1, 1999 through June 30, 2000 in the amount of \$7,500. This lease provides for MN-West to lease the space previously used by the Police Department and a classroom in the basement. All voted in favor of the motion.

MAYOR AND COUNCIL REPORTS:

Reports by the Mayor and Councilpersons of the various committees, commissions and boards were as follows:

Byrnes FDA, Fire Relief Association, Regional Development Commission – No report.

Stores Community Services Advisory Board will meet on Wednesday; Downtown Design Committee continues to meet.

Edblom Cable Commission, Planning Commission, Utilities Commission and the Ways & Means Committee meet next week; Personnel Committee has set up an insurance committee of employees to discuss various options for employee insurance.

Boedigheimer Airport Commission meeting was cancelled; Senior Citizen Center Commission will meet on October 13, 1999; Lyon County Enterprise Development meeting was postponed; Jt. LEC did not meet; Public Improvement/Transportation Committee held a meeting but he was not able to attend.

REGULAR MEETING – OCTOBER 4, 1999

Doyle Housing Commission minutes are included in the agenda packet; Human Rights Commission met last Monday; Transit Committee discussed winter storage for the Transit vehicles.

Rowe Library Board will meet next Monday; MERIT will meet on Wednesday.

Reynolds Hospital Board meets next week.

COUNCILPERSON INDIVIDUAL ITEMS:

The display of city vehicles on Saturday, October 1, 1999 and the tour of the waterplant were a success; the Fire Department held their open house and smoke house exhibit on September 30, 1999; the Dutch Elm Disease Program needs to be reviewed.

Boedigheimer moved, Edblom seconded, that authorization for bids for the drainage at the airport be added to the agenda. All voted in favor of the motion. Boedigheimer moved, Edblom seconded, the proper city personnel be authorized to advertise for bids for the drainage at the Marshall Municipal Airport. All voted in favor of the motion.

The emergency levy should be removed this fall.

REVIEW OF PENDING AGENDA ITEMS:

It was indicated that today Municipal Code did provide the City with proofs of the City Code and that this document needs to be reviewed.

BILLS/PROJECT PAYMENTS:

Edblom moved, Doyle seconded, and it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 21327 through 21436.

BUILDING PERMITS:

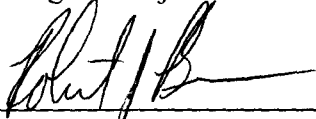
The following building permits previously approved by the Building Official were confirmed.

Schwan's Sales Enterprises, Inc.	115 South 1st Street	Demolish Two-Family Dwelling	\$0
Scott Kuecker	102 South Whitney Street	Addition	\$15,000
True Value Home Center	1234 Patricia Court	Dwelling	\$90,000
True Value Home Center	902 Columbine Drive	Install Windows	\$8,500
Hiskin Construction	609 Elaine Avenue	Reroof Dwelling	\$6,500
ABC Seamless of Redwood Falls	1301 Ridgeway Road	Reside Dwelling	\$6,800
Stan & Conni Stensrud	107 Marlene Street	Install Windows	\$1,000
Denny Miller Construction	1309 Greenview Place	Reside Dwelling and Install Doors	\$7,500
Total Mechanical Services	500 Artillery Drive	Kitchen Remodeling	\$61,300
Babcock Construction	1006 Birch Street	Reside Garage	\$1,500
Denny Miller Construction	600 Kennedy Street	Addition	\$35,000
Robert L. Carr Co.	1113 East College Drive	Demolish Retail Store	\$0
Richard & Barb Werner	600 North 3rd Street	Porch Addition	\$5,000
Geske Building & Supply Co.	601 Kathryn Avenue	Reside Dwelling	\$5,800


REGULAR MEETING – OCTOBER 4, 1999

Donald J. Ginder	615 West Lyon Street	Garage Addition	\$1,200
Babcock Construction	219 North High Street	Reside Dwelling & Garage	\$10,200
Hoffman & Brobst	903 East College Drive	Remodel Roof	\$35,000
Daryl & Vicki St. Aubin	214 DeSchepper Street	Install Window and Basement Remodel	\$600
Jeff Pieschke	801 Elaine Avenue	Egress Windows, Bathroom	\$2,500
Kevin & Darnell Lanoue	102 Gray Place	Reside Dwelling, Replace Storm Units, Picture Window, Replace Doors	\$3,500
Lincoln Street Partnership	1003 Dano Circle	Multiple-Family Dwelling - Footings & Foundation	\$30,000
Robert L. Carr Co.	1113 East College Drive	Retail Store	\$250,000
Dulas Construction	1206 West Main Street	Repair Shop	\$55,000
LeWayne Carlson	210 South Whitney Street	Reinforce Basement Walls	\$2,000
John Alcorn	403 DeSchepper Street	Replace Windows, Install Door, Reside Dwelling	\$5,000
Roger Bell	102 North 4th Street	Replace Windows	\$1,000
John Kiple & Monte Kiple	344 Timberlane Drive	Install Manufactured Home	
Countryside Homes	113 Spruce Lane	Install Manufactured Home	
Genevieve Crillo	358 Timberlane Road	Install Manufactured Home	
Vernon Baas	110 Spruce Drive	Install Manufactured Home	
Robert S. Garcia	104 Spruce Drive	Install Manufactured Home	
Beulah Peters	106 Spruce Drive	Install Manufactured Home	

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


Mayor of the City of Marshall

ATTEST:


Finance Director/City Clerk

SPECIAL MEETING – OCTOBER 14, 1999

A special meeting of the City Council of the City of Marshall was held on October 14, 1999 in the Cottonwood Room of the Municipal Building. The meeting was called to order at 7:08 p.m. by Mayor Byrnes. In addition to Byrnes, the following members were in attendance at the meeting: Rowe, Doyle, Edblom, Reynolds, Boedigheimer and Stores. Absent: None. Staff in attendance at the meeting included: Mike Johnson, City Administrator; Cal Barnett, Director of General Services; Rob Yant, Director of Public Safety; Keith Nelson, Director of Public Works/City Engineer; Harry Weilage, Director of Community Services, and Thomas M. Meulebroeck, Finance Director/City Clerk. Guests in attendance at the meeting were Karen Reede and Carolyn Kapoun from the Marshall Area Fine Arts Center.

The purpose of this special meeting was to review the draft of the proposed 2000 General Fund Budget. Mike Johnson reviewed the summary pages for the General Fund Budget. The summary pages provided a breakdown of the total expenditures by object code consisting of personnel, supplies, operating and capital outlay for each of the departments within the General Fund.

Karen Reede provided a presentation on the Marshall Area Fine Arts Center. Ms. Reede indicated that Lyon County provided \$2,000 towards the current year's operations, and that they were requesting the same amount from the City Council for the year 2000.

The General Fund budget as of 09-09-99 reflected revenues of \$7,726,965 and expenditures of \$8,611,993, for a deficit of \$885,028. The budget as of 10-14-99 reflected revenues of \$7,159,452, with an adjustment of an additional \$14,100 and expenditures of \$7,552,061, for a deficit of \$378,509. These amounts do not include the \$100,000 that was added to the preliminary levy, nor do they include an amount for the Great Plains Natural Gas or the Hospital franchise tax.

Mike reviewed the expenditure type categories and addressed some of the requested changes included in the proposed budget. The total expenditures are up approximately 10.8% over the 1999 budget. Mike also reviewed the requested revenues and identified some of the increases/decreases in the 2000 requests.

The City will be receiving \$15,000 in the year 2000 from the Marshall Municipal Utilities for the M.E.R.I.T. Center, which will be included in a Special Revenue Fund.

Currently, there is \$125,000 included in the year 2000 General Fund budget for the health insurance increase.

It was indicated that the City's Capital Equipment Fund has a current reserve of approximately \$318,000.

Each of the Division Heads was given an opportunity to review the budget request for their areas of responsibility:

Public Works – Keith Nelson – It was suggested that the water/sewer extension project be removed from the General Fund budget and that this be budgeted in the "429" Revolving Fund. This would reduce expenditures by \$200,000 and revenues by \$120,000. The proposed

SPECIAL MEETING – OCTOBER 14, 1999

improvements, including the entrance parking area at the airport for \$220,000, the acquisition of the gas loading facility for \$120,000, and the Helena Farm Center for \$200,000, were suggested to be included in the budget. Keith indicated that it would not be likely that the Arrival/Departure building at the Airport could be completed in 2000.

Community Services – Harry Weilage – The amount in the Cable budget for an office in City Hall was reduced from \$4,000 to \$1,000, and overlay on the tennis courts in the Park Maintenance budget was reduced from \$36,000 to \$10,000.

General Government Services – Cal Barnett – A thought was that maybe the upgrade of the finance server to NT could probably be delayed for a year, and that the City consider leasing versus buying computer and copier equipment. A request had come forth from the Senior Citizen Commission to include \$20,000 in the 2000 budget for three (3) natural gas furnaces for the Senior Center.

Public Safety – Rob Yant – A detailed review was held on the capital expenditures with no recommended changes.

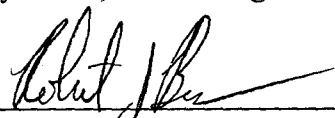
The request from Prairie Expo was briefly discussed, but there was a consensus that the presentation given to the City Council did not specifically address the benefits to the City of Marshall if they were to contribute to this project.

The net effect to the proposed General Fund Year 2000 budget was to adjust revenues as follows: Add airport grant for \$192,000 and transfer in of \$128,000 from the Capital Equipment Fund for the acquisition of properties; the airport grant be reduced by \$120,000 for the water/sewer extension project; there be \$7,000 added to state and local police aids for the post board; and that the \$14,100 be included for the Youth Development levy.

The adjustment to the expenditures included adding \$320,000 for the acquisition of property at the airport; deleting \$200,000 for the water/sewer line extension at the airport; reducing the Cable Capital Expenditure for an office in the Municipal Building by \$3,000; reducing the tennis court bituminous overlay by \$26,000; adding \$20,000 for natural gas furnaces at the Senior Center; and allocating \$2,000 for the Marshall Area Fine Arts Center.

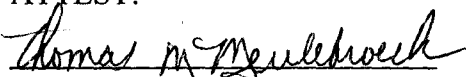
The next budget meeting was set for October 25, 1999 at 7:00 p.m. in the Cottonwood Room of the City of Marshall Municipal Building.

Upon motion made by Stores and seconded by Rowe, the meeting was adjourned at 10:00 p.m.



Mayor of the City of Marshall

ATTEST:



Finance Director/City Clerk

REGULAR MEETING – OCTOBER 18, 1999

The regular meeting of the Common Council of the City of Marshall was held on October 18, 1999 in the Council Chambers of the Marshall Municipal Building. The meeting was called to order at 7:30 P.M. by President Pro-Tem Stores. In addition to Stores the following members were present: Rowe, Edblom, Reynolds, and Boedigheimer. Absent: Byrnes and Doyle. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Keith Nelson, Director of Public Works/City Engineer; Thomas M. Meulebroeck, Finance Director/City Clerk; Rob Yant, Director of Public Safety; David Marks, Fire Chief; and Jane DeVries, Deputy City Clerk.

The Pledge of Allegiance was recited at this time.

At this time President Pro-Tem Stores welcomed the members of Boy Scout Pack 320 and the students from Southwest State University.

APPROVAL OF THE AGENDA:

It was the general consensus of the council that the agenda be approved with the addition of the presentation of a plaque to Robert Meffert on behalf of the Marshall City Band.

PRESENTATION OF PLAQUE – MARSHALL CITY BAND:

President Pro-Tem Stores took this opportunity to thank the Marshall City Band and presented a plaque to Mr. Robert Meffert. Mr. Meffert has been the band director for several years and indicated that the Marshall City Band has been performing during the summer months for the past 80 years. It was indicated that the plaque will be permanently displayed on the Band Shell at Liberty Park.

APPROVAL OF THE MINUTES:

Rowe moved, Edblom seconded, that the minutes of the regular meeting held on October 4, 1999 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

CONDITIONAL USE PERMIT – LOZINSKI:

Per the recommendation of the Planning Commission, Edblom moved, Reynolds seconded, the approval of Gerald & Kathleen Lozinski for a Conditional Use Permit for a Bed and Breakfast business in an R-1 One Family Residence District at 305 North 5th Street with the following conditions:

1. The facility shall comply with all health, fire, safety rules and other regulations of the State of Minnesota and City of Marshall.
2. The maximum number of bedrooms (bed & breakfast use) shall be established as one.
3. Limitations of additional functions such as receptions or business meetings shall be established as not permitted.
4. Off street parking shall be provided as required in Section 11.19, Subd. 2., L.19., which is one space in addition to the two required for the dwelling use.
5. Exterior appearance and lighting shall be compatible with the neighborhood.
6. Identification signs shall meet the requirements of Section 11.19, Subd. 1, which is a 2 square foot name plate only.
7. The Conditional Use Permit is restricted to the applicant and not the property.
8. No food or beverage service for the transient guests other than breakfast shall be provided.
9. All bedroom units shall be established within the principal residence.
10. Cooking facilities shall not be permitted in the guestrooms.

REGULAR MEETING – OCTOBER 18, 1999

11. Appropriate insurance including, liability insurance shall be filed with the City Clerk/Finance Director of the City of Marshall before commencing rental.
12. Other commercial enterprises shall not be operated in conjunction with this facility.
13. The facility shall comply with initial and annual reports on building and housing code inspections.

All voted in favor of the motion.

TRANSFER CABLE TV FRANCHISE:

Per the recommendation of Mr. Brian Grogan of Moss & Barnett, Rowe moved, Edblom seconded, that a public hearing be held on November 15, 1999 at 7:30 P.M. on the proposed transfer of control of the cable television franchise from Bresnan Communications Company, LLC to Charter Communications Holding Company, LLC. All voted in favor of the motion.

APPOINTMENT OF POLICE OFFICER:

Rowe moved, Reynolds seconded, that Kathryn A. Bresson be hired as a full-time police officer to replace Dan DeSmet. Kathryn is currently a part-time officer and will transfer to full-time effective October 25, 1999 at a starting hourly wage of \$14.04. This brings the Police Department to 19 full-time officers and 3 part-time officers. All voted in favor of the motion.

AGREEMENT GROUP II ARCHITECTS – APPARATUS STORAGE/MAINTENANCE FACILITY:

Rowe moved, Boedigheimer seconded, the proper city personnel be authorized to enter into an agreement for architectural services with Group II Architects for the Apparatus Storage/Maintenance Facility Building at the Marshall Emergency Response and Industrial Training Center (MERIT). The architectural fees for the services are estimated to be \$59,500 for basic services and \$3,500 for reimbursable expenses. All voted in favor of the motion.

Dave Marks took this opportunity to thank the City Council for their continued support for the MERIT Project. He indicated that there is a model on display for their review and that this model was set up at the Chief's Conference last week. Dave indicated that this facility was designed to serve as a training facility for law enforcement personnel; fire department personnel; ambulance and EMS personnel; industrial companies to provide OSHA training for their employees, and MMUA to provide electrical training. This facility will be used by an 18 county area. Councilperson Boedigheimer indicated that this facility will provide training at a local level that might not otherwise be available. It was also indicated that the facility will be considered a success if they are able to cover their expenses. The economic benefit from this facility will be to the motels, restaurants, and local business places in Marshall.

CORPORATE SUBSIDY POLICY:

Boedigheimer moved, Edblom seconded, the proper city personnel be authorized to enter into an agreement with Gray, Plant, Mooty, Mooty & Bennett Law Firm to assist with the development of a Corporate Subsidy Policy. Ms. Waelti will be developing similar policies for three additional authorities, which would assist in keeping Marshall's cost lower. Ms. Waelti will be retained at a cost not to exceed \$5,000. All voted in favor of the motion.

MAYOR AND COUNCIL REPORTS:

Reports by the Mayor and Councilperson of the various committees, commissions and boards were as follows:

REGULAR MEETING – OCTOBER 18, 1999

- Stores Community Services Advisory Board – Mr. Goodmund is becoming more involved with the various programs. Included in the new programs was intramural bowling and it was indicated that the soccer held at the arena was a success.
- Edblom Cable Commission did not have a quorum; the Planning Commission item was previously acted on by the Council; Utilities Commission will meet on Tuesday; Employee Insurance Committee will meet on Thursday and the Quarterly Employee Committee will meet on Tuesday, October 26th.
- Boedigheimer Airport Commission – not able to attend; Senior Citizen Center Commission reviewed their budget; Lyon County Enterprise Development and the Jt. LEC have not met; Public Improvement/Transportation Committee will meet on Thursday.
- Rowe Insurance Advisory Committee will meet on Tuesday; Library Board met last week in Cottonwood; Legislative and Ordinance Committee needs to meet.
- Reynolds Hospital Board met earlier today and discussed phase 3 and 4 which includes expansion of the clinic. Items of concern included the clinic expanding up a floor and the need for additional parking. Discussion was held on moving part of the clinic to the mall. They also received a letter from Sioux Valley Hospital in regard to another clinic. The fee in lieu of taxes in the amount of \$25,000 was included in their budget.

COUNCILPERSON INDIVIDUAL ITEMS:

An employee and board recognition was held last week; the railroad crossing on Legion Field Road should be completed by January 1, 2000; there is still a concern with the bumps along East Main Street; some of the street lights seem to go on an off and this should be checked out; it was suggested that there be a tour of the flood control project area.

REVIEW OF PENDING AGENDA ITEMS:

The League of Minnesota Cities Meeting will be held in Balaton on Wednesday, October 20, 1999 for anyone interested in going.

BILLS/PROJECT PAYMENTS:

Edblom moved, Reynolds seconded, and it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 21437 through 21614.

BUILDING PERMITS:

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

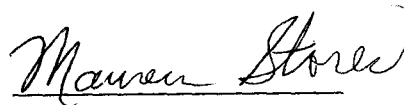
Geske Building & Supply Co.	706 South Bend Avenue	Install Window	\$2,500
Mural Eliason	408 North 7th Street	Install Windows	\$600
Denny Miller Construction	706 South 4th Street	Reside Dwelling & Garage	\$6,500
Denny Miller Construction	1000 Cheryl Avenue	Addition	\$21,500
Diane Jacobson	407 Elaine Avenue	Install Windows	\$2,500
Richard & Lori Johnson	310 Lawrence Street	Reside Dwelling and Install Windows and Install	\$5,000

REGULAR MEETING – OCTOBER 18, 1999

		Fireplace	
Kenneth & Mary Fischer	117 Lilac Drive	Reroof Dwelling	\$1,500
James & Stella Wuebker	401 South Highway 23 By-Pass	Retail Store	\$147,900
Ardell Marks	607 Kendall Street	Interior Remodel	\$200
Nespar Sign Advertising	900 East Main Street	Install Signs	\$39,500
Dwayne Murphy	900 South 4th Street	Install Window	\$1,400
Bakke's Home Repair & Construction	105 South 11th Street	Install Windows & Reside Dwelling	\$2,200
James M. King, Jr. & Janice King	105 North 7th Street	Garage Addition	\$300
Scott Hicks	1500 East College Drive	Install Windows	\$5,000
Ace Sign, Inc. of Willmar	200 East College Drive	Install Sign	\$1,300
Babcock Construction	402 South Saratoga Street	Reside Dwelling	\$6,600
Hisken Construction	410 Elm Street	Reroof Dwelling	\$8,000
Louise Schmidt	327 Timberlane Drive	Install Manufactured Home	

At this time the City Officials and City Council introduced themselves and gave a brief description about themselves for the benefit of the SSU students in attendance at the meeting.

Upon motion by Rowe, seconded by Edblom, the meeting was adjourned. All voted in favor of the motion.



President Pro-Tem

Attest:



Finance Director/City Clerk

SPECIAL MEETING -- OCTOBER 25, 1999

The special meeting of the Common Council of the City of Marshall was held on October 25, 1999 in the Cottonwood Room of the Marshall Municipal Building. The meeting was called to order at 7:06 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Rowe, Doyle, Edblom, Reynolds, Boedigheimer and Stores. Absent: none. Staff present included: Michael Johnson, City Administrator; Keith Nelson, Director of Public Works/City Engineer; Rob Yant, Director of Public Safety; Calvin Barnett, City Assessor; and Jane DeVries, Deputy City Clerk.

The first item of business was the Financing for the U.S. Army Corps of Engineers Flood Control Project. Mike Johnson, City Administrator, briefly reviewed with the council the expenditures to date and the revenue received for this project.

Mr. Gerald Shannon, Springsted Inc., was in attendance at the meeting and reviewed his recommendations in regard to the \$1,645,000 General Obligation Storm Sewer District Bonds, Series 1999B. He indicated that the storm water district benefits all of the City of Marshall. He was recommending that bids be received on November 29, 1999 and that a public hearing be held at a Special City Council meeting on November 29, 1999. This bond issue is for a period of 15 years. The City of Marshall will have exceeded their ten million dollar bond issue limit therefore the bonds will be non-bank qualified. The City of Marshall exceeded their limit due to the bond issue of Weiner Memorial Medical Center, therefore WMMC has agreed to reimburse the city the difference between bank qualified bond and non-bank qualified bonds.

Stores moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2143, SECOND SERIES and that the reading of the same be waived. Resolution Number 2143, Second Series is a resolution Calling for a Public Hearing on the Construction of Improvements within Storm Sewer Improvement District No. 1. All voted in favor of the motion.

Stores moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2144, SECOND SERIES and that the reading of the same be waived. Resolution Number 2144, Second Series is a resolution Relating to the Issuance of Certain General Obligation Bonds. All voted in favor of the motion.

The next item of business was the proposed 2000 General Fund Budget. Mike Johnson, City Administrator, provided the council with a General Fund Budget Summary with the adjustments that were made at the Special Meeting held on October 14, 1999. With these adjustments the difference between revenues and expenses is (\$264,142). Mike that the personnel part of the budget was up approximately 3%, supplies were up approximately 2.3% and operating was up approximately 20% and the Capital Outlay is \$949,106 for the year 2000.

Several areas of concern and options that were discussed included:

1. \$25,000 from WMMC, \$100,000 from Great Plains Natural Gas for a franchise fee and \$100,000 from property taxes.
2. The possibility of additional revenue from building permits.
3. The Community Services budget was increased by \$20,000, which was covered under a grant in 1999.
4. The possibility of additional revenue from the Enterprise Funds.
5. Community Service revenue and pool revenue had decreased.
6. The health insurance premium will increase.

There will be another budget meeting held on Monday, November 8, 1999 to review the following funds: State Aid, "429" Improvement, Special Revenue, Liquor and Wastewater Fund.


It was suggested that the City of Marshall pay for a City Membership with the Chamber of Commerce.

SPECIAL MEETING – OCTOBER 25, 1999

Discussion will continue with the City of Worthington on a donation to the MERIT Center. The City of Marshall will consider a donation to the Prairie Expo Center at their regular meeting on November 15, 1999.

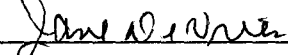
The Post Office is discussing the possibility of building a new facility and the City will work with them in keeping this in the downtown area.

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



Mayor of the City of Marshall

ATTEST:



Deputy City Clerk

REGULAR MEETING – NOVEMBER 1, 1999

The regular meeting of the Common Council of the City of Marshall was held on November 1, 1999 in the Council Chambers of the Marshall Municipal Building. The meeting was called to order at 7:30 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Doyle, Rowe, Edblom, Reynolds, Boedigheimer and Stores. Absent: none. Staff present included: Brian Murphy, City Attorney; Keith Nelson, Director of Public Works/City Engineer; Thomas M. Meulebroeck, Finance Director/City Clerk; Jane DeVries, Deputy City Clerk; and Michael Johnson, City Administrator arrived late.

The Pledge of Allegiance was recited at this time.

APPROVAL OF THE AGENDA:

It was the general consensus of the council that the agenda be approved with the additional information being considered with item number 13, which is the request for the transfer of an on-sale liquor license.

AWARD BID C-ARM SURGICAL PACKAGE:

Dick Slieter, Administrator/CEO Weiner Memorial Medical Center, was in attendance at the meeting to review the bids received for a C-arm surgical package. Mr. Slieter recommended that the bid be awarded to OEC Medical Systems, Inc., at a quoted price of \$116,660. The other two bids did not meet the general specifications of the bid. Stores moved, Reynolds seconded, that approval be granted to the Weiner Memorial Medical Center to purchase a C-arm surgical package from OEC Medical Systems Inc., at a cost of \$116,660.00. All voted in favor of the motion.

POWER OF ARREST AND PERA – PART-TIME OFFICER:

Upon the recommendation of Director of Public Safety Robert Yant, Stores moved, Doyle seconded, that Daniel A. DeSmet and Eric C. Wallen be employed as part-time Police Officers with the City of Marshall at the rate of \$13.81 and \$10.36 respectively effective November 2, 1999. The following resolution was adopted: BE IT RESOLVED that Daniel A. DeSmet and Eric C. Wallen be duly appointed, qualified and acting part-time police officers for the City of Marshall, Minnesota, possessing the power of arrest by warrant and otherwise and other authority generally conferred upon and possessed by the Municipal Police Officers in Minnesota with the specific duty of enforcing the laws of the State of Minnesota and the ordinances of the City of Marshall in apprehending violators thereof and engaging in the hazards of protecting the safety and property of others and said employees shall become members of the Public Employees Retirement Association Police and Fire Fund. All voted in favor of the motion.

CITY AUCTION:

Edblom moved, Stores seconded, that the proper city personnel be authorized to make the necessary arrangements to dispose of surplus city property. This auction will allow the City to dispose of the accumulated vehicles. All voted in favor of the motion.

GAMBLING PERMIT – SSU MARCHING BAND:

Doyle moved, Rowe 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 Exempt Permit –LG 220 for the Southwest State University Marching Band to be used at the Southwest State University Recreation Athletic Facility, Marshall, Minnesota on Saturday, February 12, 2000 and that the 30 day waiting period be waived. All voted in favor of the motion.

GAMBLING PERMIT – KNIGHTS OF COLUMBUS COUNCIL 1621:

Stores 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 renewal of the Gambling License for the Knights of Columbus Council 1621 for use at the Chalet Club, East College Drive, Marshall, Minnesota. All voted in favor of the motion.

ANNEXATION 5.3 ACRES:

Doyle moved, Rowe seconded, the introduction of an ordinance Extending the Corporate Limits of the City of Marshall, Minnesota to include certain unincorporated territory completely surrounded by land within the City limits of Marshall, Minnesota. This ordinance would provide for approximately 5.3 acres at the intersection of County Road 33 and Highway 59 to be annexed into the City of Marshall. All voted in favor of the motion.

Rowe moved, Stores seconded, a public hearing be scheduled for 7:30 P.M. on December 20, 1999 to consider the proposed ordinance. All voted in favor of the motion.

ANNEXATION .99 ACRES:

Stores moved, Reynolds seconded, the introduction of an ordinance Extending the Corporate Limits of the City of Marshall, Minnesota to include certain unincorporated territory bordered by land within the City limits of Marshall, Minnesota and abutting thereon. This ordinance would provide for approximately .99 acres of land on Highway 59 South (formerly Club 59) to be annexed into the City of Marshall. All voted in favor of the motion.

Reynolds moved, Edblom seconded, a public hearing be scheduled for 7:30 P.M. on December 20, 1999 to consider the proposed ordinance. All voted in favor of the motion.

FARM LEASE – MIKE MORTIER:

Reynolds moved, Stores seconded, the proper city personnel be authorized to enter into a farm lease agreement with Mike Mortier. This farm lease is for approximately 15 acres of land abutting the airport for crop years 2001 and 2002 at a cost of \$1,317.50 per year. All voted in favor of the motion.

FARM LEASE – STEVEN SCHULER:

Rowe moved, Stores seconded, the proper city personnel be authorized to enter into a farm lease agreement with Steven Schuler. This farm lease is for approximately 83 tillable acres of land abutting the Wastewater Treatment Facility for crop years 2001 and 2002 at a cost of \$5,040 per year. All voted in favor of the motion.

PRESENTATION BY IRENE GOMEZ-BETHKE ON CENSUS 2000:

At this time Irene Gomez-Bethke reviewed with the council and others in attendance at the meeting information on the Census 2000. The Census 2000 is concerned about accurately counting everyone. Ms. Bethke stated that by missing larger number of people it affects funding and programs that are available; that there is a Partnership Program, which is designed to help different organizations to work together and help each other; and that there is a need to create awareness of the census and that barriers such as language need to be resolved.

WASTEWATER TREATMENT FACILITIES PROJECTS:

Keith Nelson, Director of Public Works/City Engineer; and Bob VanMoer, Wastewater Treatment Facility Superintendent; reviewed with the council the two dual media effluent filters. They indicated they are over 20 years old and in state of severe corrosion and related deterioration. The three options that were recommended by RCM included: in-kind replacement filters, traveling bridge filters, and continuously backwashed filters. It is the recommendation of Keith Nelson and Bob VanMoer that the traveling bridge filter be approved at an estimated cost of \$1,865,000. Two financing options were discussed which were bonds or a low interest loan.

Keith Nelson, Director of Public Works/City Engineer; and Bob VanMoer, Wastewater Treatment Facility Superintendent; reviewed the sludge storage alternatives. They indicated that the Wastewater Treatment Facility generates and disposes of approximately 8 million gallons of sludge annually. Their storage capacity is $\frac{3}{4}$ of a million gallons or one month's production. The industry standard for storage is six month's production. RCM reviewed two alternatives for sludge storage, which were: below ground rectangular, reinforced concrete tank or an above ground, glass-fused steel, circular tank. The increased storage would provide the Wastewater Treatment Facility flexibility in scheduling sludge applications or avoiding them in the winter or during wet weather.

Boedigheimer moved, Reynolds seconded, that the proper city personnel be authorized to direct RCM to prepare a contract for engineering design services for the effluent filters and sludge storage alternatives at the Wastewater Treatment Facility. All voted in favor of the motion.

TRANSFER OF ON-SALE INTOXICATING LIQUOR LICENSE:

Edblom moved, Doyle seconded, a public hearing be scheduled for November 15, 1999 at 7:30 P.M. to consider the transfer of an on-sale intoxicating liquor license from RJB Investments to Pappy's at 1407 East College Drive, Marshall, Minnesota. Additional information was provided on a parking plan. All voted in favor of the motion.

MAYOR AND COUNCIL REPORTS:

Reports by the Mayor and Councilmembers of the various boards, commissions and boards were as follows:

Byrnes Regional Development Commission is advertising for an Executive Director due to resignation of Randy Jorgensen, they also discussed the Revolving Fund.

Stores Community Services Advisory Board met on Wednesday, Harry Weilage, Director of Community Services was awarded the 1999 President's Award from the Minnesota Community Education Association, an update on the Ad Hoc Committee in included in the agenda packet.

Edblom Utilities Commission received their new printer and are working on a new billing format and hopefully the storm water utility will be included; Ways and Means Committee will meet next week; Cable Commission and Planning Commission will be meeting in the future; and the Personnel Committee needs to schedule a meeting.

Boedigheimer Airport Commission will be meeting soon; Senior Citizen Center Commission will not be meeting on the 10th; Lyon County Enterprise Development has not

REGULAR MEETING – NOVEMBER 1, 1999

met; Jt. LEC has not set a date for the open house; Public Improvement/Transportation Committee is discussing the Dutch Elm Disease and hopefully will develop a policy on the removal of the diseased trees.

Doyle Housing Commission will meet later this month; Human Rights Commission the Spanish translation of the brochure needs to be worked on.

Rowe Insurance Advisory Committee minutes are included in the agenda packet; Library Board will meet next week; Legislative and Ordinance Committee has not met; MERIT minutes are included in the agenda packet, MMUA will have their ground breaking on Friday November 5, 1999 for their facility in connection with the MERIT Project.

Reynolds Hospital Board will meet on November 15, 1999

COUNCILPERSON INDIVIDUAL ITEMS:

The Downtown Redevelopment Committee is working on the historic preservation of the downtown area; Councilperson Edblom as a participant of the Police Academy went on a ride-along with the Police Department; the Post Office is considering a new facility and there will be a public hearing on December 13, 1999 for public input.

BILLS/PROJECT PAYMENTS:

Edblom moved, Doyle seconded, and it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 21615 through 21736.

BUILDING PERMITS:


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

Thor's Handyman Service	602 Dogwood Avenue	Basement Remodel	\$5,000
Jon Schmidt	304 West Redwood Street	Move Out Garage	\$0
Jon Schmidt	304 West Redwood Street	Garage	\$4,950
Allen & Anne Meyer	118 East Redwood Street	Garage	\$13,400
True Value Home Center	103 "F" Street	Replace Entry Step	\$5,000
Geske Building & Supply Co.	800 South 2nd Street	Reside Dwelling and Replace Step	\$8,900
Bladholm Construction, Inc.	1107 West Main Street	Exterior Remodeling	\$68,000
Slagel Construction	901 Cheryl Avenue	Install Window	\$1,200
Slagel Construction	902 Pine Avenue	Install Windows	\$1,800
Dan & Erin Fischer	1205 Parkside Drive	Interior Remodel	\$200
Mark & Karie Rubertus	602 North 5th Street	Install Window	\$700
Gary Hohler	603 Elm Street	Interior Remodel	\$1,500
Steven Suelflow	508 Jewett Street	Install Window	\$500
Express Signs	1425 East College Drive	Temporary Transportable Sign	\$0
Express Signs	1406 East Lyon Street	Temporary Transportable Sign	\$0
Jim Lozinski	910 Boxelder Avenue	Sun Room Addition	\$4,000
Dean & Karen Champine	1404 Pinehurst Road	Garage Addition	\$9,500
Babcock Construction	602 Jefferson Circle	Reside Dwelling & Install Door	\$5,400

REGULAR MEETING – NOVEMBER 1, 1999

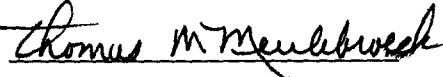
Independent Lumber of Marshall, Inc.	1119 Skyline Drive	Dwelling	\$165,000
Paxton Signs, Inc.	1405 East College Drive	Install Signs	\$5,000

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



Mayor of the City of Marshall

ATTEST:



Finance Director/City Clerk

SPECIAL MEETING – NOVEMBER 8, 1999

A special meeting of the Common Council of the City of Marshall was held on November 8, 1999 in the Cottonwood Room of the Marshall Municipal Building. The meeting was called to order at 7:05 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Rowe, Edblom, Reynolds, Boedigheimer and Stores. Absent: Doyle. Staff in attendance at the meeting included: Mike Johnson, City Administrator; Thomas M. Meulebroeck, Finance Director/City Clerk; Keith Nelson, Director of Public Works/City Engineer; Harry Weilage, Director of Community Services; Bob VanMoer, Superintendent Wastewater Treatment Facility; Jim VanHyfte, Liquor Store Manager.

Karen Reede was in attendance at the meeting to request a temporary on-sale liquor license for the Marshall Area Fine Arts Council. Edblom moved, Stores seconded, that a temporary on-sale liquor license be granted to the Marshall Area Fine Arts Council so that they are able to serve wine at a photography exhibit/artist's reception to be held on November 30, 1999 at 313 West Main Street. All voted in favor of the motion.

On November 6, 1999 the Marshall Volunteer Fire Department responded to a grass fire on the DNR property near Lake Marshall. During the efforts of the Marshall Volunteer Fire Department to control the fire the 1974 GMC pickup owned by the City of Marshall Fire Department was destroyed. Boedigheimer moved, Edblom seconded, that the proper city personnel be authorized to pursue various options that they may be possible for the replacement of the 1974 GMC pickup for the Marshall Volunteer Fire Department. All voted in favor of the motion.

Dick Sleiter, Administrator Weiner Memorial Medical Center, was in attendance at the meeting to review with the council the Weiner Memorial Medical Center recommendation to remodel the Radiology Department. Upon the recommendation of the Weiner Memorial Medical Center, Reynolds moved, Boedigheimer seconded, that the bids for the remodeling the Radiology Department in the amount of \$165,315.00 be approved. The remodeling project will provide enhanced Floroscopy and Tomography x-ray rooms to house the new equipment arriving in mid November and mid December. The remodeling will also upgrade and relocate the Mammography room and the reception area to centralize the patient waiting area with the Outpatient clinic and Laboratory. All voted in favor of the motion.

The City Council continued its review of the proposed 2000 budget. The budget's that were reviewed at this time included: the State Aid Budget, the "429" Public Improvement Account, the Debt Service Account, the Special Revenue Fund, Liquor Fund and Wastewater Treatment Facility Fund.

State Aid Fund – Keith Nelson reviewed with the council the summary of the activities of the Municipal State Aid Account and the proposed budget for the year 2000. Mr. Nelson also provided and reviewed with the council the state account where they encumbered funds for State Aid Projects within the City of Marshall. Mr. Nelson reviewed the various projects that are being considered for the next few years and how the money that has been encumbered by the state may be utilized.

SPECIAL MEETING – NOVEMBER 8, 1999

“429” Public Improvement Revolving Fund – Mike Johnson reviewed the summary of the “429” Public Improvement Revolving Fund as to how this fund was established and what it has been used for over the past few years. The proposed revenues and expenditures for the year 2000 were reviewed.

Debt Service Fund – Thomas M. Meulebroeck provided a supplemental hand out to those in attendance at the meeting that addressed each of the separate funds within the Debt Service Fund. The revenues and expenditures were reviewed for each of the separate funds.

Special Revenue Fund – Thomas M. Meulebroeck, reviewed with the council the various funds that are included in the Special Revenue Funds. The primary funds within this category are the EDA Account, the Tax Increment Account, the Recycling Container Account, and the MERIT Project Account. The major activity within the EDA Account consists of the repayment on the loans that have been issued in the past; the Tax Increment Account reflects the increments that the city is projecting to receive and the allocation of the increments to the various Debt Service Issues. The Recycling Container Account collects the revenue for the recycle containers that are sold and utilizes the money for the replacement of recycle containers. The MERIT Account was established for the revenues and expenditures that would be processed through the City for this project.

Liquor Fund – Jim VanHyfte was in attendance at the meeting to review the proposed revenues and expenditures for the liquor funds operation for the year 2000.

Wastewater Treatment Facility – Bob VanMoer was in attendance at the meeting to review the proposed revenues and expenditures for the year 2000. Mr. VanMoer also discussed with the council the potential of doing some improvements at the Wastewater Treatment Facility, which may reach the projected amount of \$4,000,000.00. A discussion was also held in regard to the proposed rate increases for the Wastewater Treatment Facility operations. It is intended that a public hearing will be held in the near future to consider the proposed rate adjustments effective January 1, 2000.

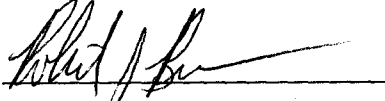
Mike Johnson indicated that a \$2,000 expenditure will be included in the General Fund Budget for the council's recommendation to included a contribution to the Marshall Area Fine Arts Center. With this included in the General Fund Budget the revenues exceed the expenditures by \$922 at this time.

The City Council briefly discussed what their position should be in regard to the construction of a new postal office within the City of Marshall. It was the general consensus of the council that they be pro-active in the discussion and decisions that will be made as to the location of the new proposed post office within the City of Marshall. The City Council also briefly discussed the Prairie Expo Project in Worthington and what the City Council's position should be on this project. Mayor Byrnes indicated that

SPECIAL MEETING – NOVEMBER 8, 1999

representatives from the Prairie Expo will be attendance at a future City Council meeting to discuss a monetary request from the City Council.

Upon motion made by Edblom, seconded by Stores, the meeting was adjourned at 9:30 P.M. All voted in favor of the motion.



Mayor of the City of Marshall

Attest:



Finance Director/City Clerk

The regular meeting of the Common Council of the City of Marshall was held on November 15, 1999 in the Council Chambers of the Marshall Municipal Building. The meeting was called to order at 7:30 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Rowe, Doyle, Edblom, Reynolds, Boedigheimer and Stores. Absent: none. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Keith Nelson, Director of Public Works/City Engineer; Thomas M. Meulebroeck, Finance Director/City Clerk; Dave Marks, Fire Chief; and Jane DeVries, Deputy City Clerk.

The Pledge of Allegiance was recited at this time.

APPROVAL OF THE AGENDA:

It was the general consensus of the council that the agenda be approved with the addition of item number 6a which is the request to purchase a 225 gallon poly skit unit complete with pump, tank, nozzle, and as specified for the Marshall Volunteer Fire Department.

APPROVAL OF THE MINUTES:

It was the general consensus of the council that the minutes of the regular meeting held on November 1, 1999 and the special meeting held on November 8, 1999 be approved as filed with each member and that the reading of the same be waived.

PUBLIC HEARING – TRANSFER CABLE FRANCHISE:

This was the date and time set for the public hearing to consider the application to transfer control of the City's cable television franchise from Bresnan Telecommunications Company to the Charter Communications Holding Company. Mike Johnson, City Administrator, indicated that the purpose of the hearing was to receive public comment and testimony concerning the proposed transfer. Mary Larson, General Manager Bresnan Communications Company, was in attendance at the meeting and briefly reviewed the proposed transfer. Mr. Brian Grogan of Moss & Barnett has not be able to complete his report and recommendation to the City Council, therefore Doyle moved, Stores seconded, the public hearing be continued at the next regular City Council meeting to be held on December 6, 1999. All voted in favor of the motion.

PUBLIC HEARING – TRANSFER LIQUOR LICENSE:

This was the date and time set for the public hearing to consider the transfer of an On-Sale Liquor License from Rodney Tholen DBA RJB Investments, Inc., to Becky Brownlee DBA Pappy's at 1407 East College Drive. It was indicated that they were not applying for a Sunday On-Sale Liquor License and that they would be opening as soon as possible. The parking issue was also discussed and it was indicated that they have the required number of parking stalls. Rowe moved, Edblom seconded, the public hearing be closed. All voted in favor of the motion.

Stores moved, Reynolds seconded, the approval of the transfer of an On-Sale Liquor License from Rodney Tholen DBA RJB Investments, Inc., to Becky Brownlee DBA Pappy's at 1407 East College Drive. All voted in favor of the motion.

CONDITIONAL USE PERMIT – BRUCE GROW:

Upon the recommendation of the Planning Commission, Stores moved, Reynolds seconded, Bruce Grow be granted a 5 year renewal of a Conditional Use Permit for a home occupation to conduct a live bait business at 207 North 7th Street in an R-1 One Family Residence District with the following conditions:

1. That all water and organic wastes be disposed of in the municipal wastewater system or other sanitary method away from the property.

REGULAR MEETING – NOVEMBER 15, 1999

2. That the hours of business be restricted from 6:00 A.M. to 10:00 P.M.

3. The permit will expire in five years.

All voted in favor of the motion.

CONDITIONAL USE PERMIT – MARVIN BARGLOF ESTATE:

Upon the recommendation of the Planning Commission, Edblom moved, Doyle seconded, that a Conditional Use Permit be granted for a two-family dwelling under split ownership at 709 South 2nd Street in an R-1 One Family Residence District with the following conditions:

1. That the dwelling have separate utility service lines to each unit (when they are replaced due to maintenance).
2. That the owner execute a common maintenance agreement containing covenants as to uniformity of exterior appearance of the dwellings.
3. Provided that proper separation of units as provided by the Building Code.
4. That said dwellings comply with all yard regulations for single family dwellings, except side yard regulations between the dwelling units.
5. That the dwelling location on the lot be compatible with the neighborhood.
6. That landscaping, fencing, grading, exterior lighting, and driveway conform to the surrounding neighborhood.
7. That any accessory building be compatible with the dwellings and the surrounding neighborhood.
8. That the dwellings shall be a maximum height of two stories.
9. Not more than fifty (50%) percent of the lot area shall be occupied by buildings.
10. No unit shall be eligible under this unless the division of the dwelling occurs along the lot lines.

All voted in favor of the motion, except Boedigheimer who abstained.

VARIANCE ADJUSTMENT PERMIT – JENNIE-O FOODS:

Upon the recommendation of the Planning Commission, Stores moved, Edblom seconded, that a Variance Adjustment Permit be granted to for Jennie-O Foods at 112 South 6th Street. This variance allows Jennie-O Foods to construct a truck shelter with a rear yard of 3' in lieu of 25' as required by Ordinance in an I-2 General Industrial District at 112 South 6th Street. All voted in favor of the motion.

PURCHASE 225 GALLON POLY SKID UNIT – FIRE DEPARTMENT:

Dave Marks, Fire Chief, reviewed with the Council and others in attendance at the meeting the request to purchase a 225 gallon poly skid unit with pump, tank, reel, nozzle, and as specified. He indicated that he has found a unit that would be available in 2 days and that the other manufactures would need 30 to 60 days for delivery. This unit is available from Toyne, Inc., Breda, Iowa in the amount of \$8,698. Mr. Marks indicated that he has applied for a DNR Grant for approximately \$4,500. Boedigheimer moved, Edblom seconded, the proper city personnel be authorized to purchase a 225 gallon poly skid unit with pump, tank, reel, nozzle, and as specified. They also approved the transfer from the Mayor and Council Contingency, account number 101-40141-7210, to Fire Department, account number 101-50352-5540. All voted in favor of the motion.

FRANCHISE FEE – NATURAL GAS:

Edblom moved, Doyle seconded, the introduction of an ordinance Regulating a Franchise Fee for a Natural Gas Franchise in the City of Marshall. This franchise fee would be 3% of gross revenue and is effective January 1, 2000. All voted in favor of the motion.

BY-LAWS – MARSHALL VOLUNTEER FIREFIGHTERS RELIEF ASSOCIATION:

Edblom moved, Boedigheimer seconded, the adoption of RESOLUTION NUMBER 2145, SECOND SERIES and that the reading of the same be waived. Resolution Number 2145, Second Series is a resolution Approving the By-Laws of the Marshall Volunteer Firefighters Relief Association. This resolution provides for an increase in pension benefits from \$3,375.00 to \$3,500.00 per year of active service. All voted in favor of the motion.

ANNUAL YEARLY RENTAL AGREEMENT WITH MASC, INC.:

Doyle moved, Reynolds seconded, the proper city personnel be authorized to enter into a Rental Agreement with MASC, Inc., (Marshall Area Senior Citizens, Inc.). The agreement provides for the MASC, Inc., to pay the City of Marshall rent in the amount of \$550.00 per month. All voted in favor of the motion.

UTILITY EASEMENT – WEST MAIN STREET:

Boedigheimer moved, Reynolds seconded, the approval of utility easements on private property. These easements are for the property along West Main Street. These easements allow the developer to construct a public sewer line along the rear property line to serve several commercial buildings. The easements are between Vernon H. Goslar and Kevin V. Goslar; Paul Whingelby; 5968 Company; and the City of Marshall. All voted in favor of the motion.

UTILITY EASEMENT – DTG:

Stores moved, Doyle seconded, the approval of utility easements on private property. These easements allow DTG to install pedestals/boxes on public property within the City of Marshall. All voted in favor of the motion.

FARM LEASE – GARY DEUTZ:

Edblom moved, Reynolds seconded, the proper city personnel be authorized to enter into a Farm Lease with Gary Deutz for approximately 10 acres of land. This lease is for the crop years 2000 and 2001 at a cost of \$408.00 each year. All voted in favor of the motion.

CENSUS 2000 PROCLAMATION:

Doyle moved, Reynolds seconded, the approval of the Census 2000 Proclamation of the City of Marshall. The Census 2000 Proclamation includes a Partnership Agreement, which Stores and Boedigheimer will assist with. All voted in favor of the motion.

PARK PROJECT:

Stores moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2146, SECOND SERIES and that the reading of the same be waived. Resolution Number 2146, Second Series is a resolution Determining the Necessity of a Park Project and Authorizing Acquisition of Certain Lands and Interests therein for Purpose of a Municipal Park. This resolution provides for property to be acquired at 104 South 1st Street and 109 West Main Street. The City has received a grant in the amount of \$125,000 from the Minnesota Department of Natural Resources Outdoor Recreation Program for the development of a shelter, restrooms, bridges, lighting and fencing in this area. In accordance with this grant the activities associated with the property acquisition and development of the project need to be completed by December 31, 2001. All voted in favor of the motion.

DECLARING LOAN PAID IN FULL:

Boedigheimer moved, Rowe seconded, the adoption of RESOLUTION NUMBER 2147, SECOND SERIES and that the reading of the same be waived. Resolution Number 2147, Second Series is a resolution Declaring Loan Paid in Full. This resolution provides for the loan from the Municipal Liquor Fund to the General Fund for the 1996 Airport Improvement to be paid in full. All voted in favor of the motion.

APPROVAL OF LICENSES FOR 2000:

Boedigheimer moved, Reynolds seconded, and it was unanimously approved that the following On-Sale Liquor Licenses be approved for the calendar year 2000 at a fee of \$3,500:

American Legion
The Gambler
Sam's Place

Applebee's Neighborhood Grill & Bar
The Rock (formerly Rumours & Corner Bar)
The Wooden Nickel

Edblom moved, Reynolds seconded, and it was unanimously approved that the following Sunday On-Sale Liquor Licenses be approved for the calendar year 2000 at a fee of \$200:

American Legion
The Gambler
Sam's Place

Applebee's Neighborhood Grill & Bar
The Rock (formerly Rumours)
The Wooden Nickel

Reynolds moved, Rowe seconded, and it was unanimously approved that the following Off-Sale Non-Intoxicating Beer Licenses be approved for the calendar year 2000 at a fee of \$50:

Casey's General Store
HyVee Food Store
Phillipps 66/Cattoor Oil
VFW Post 742

Freedom Valu Center/Erickson Oil
La Mexacianna
Texaco

Rowe moved, Edblom seconded, and it was unanimously approved that the following On-Sale Non-Intoxicating Beer Licenses be approved for the calendar year 2000 at a fee of \$150:

Godfather's Pizza

Pizza Hut

VFW Post 742

Doyle moved, Edblom seconded, and it was unanimously approved that the following Tobacco Licenses be approved for the calendar year 2000 at a fee of \$48:

American Legion
County Market
The Gambler
La Mexacianna
The Rock (formerly Rumours)
Super America/Cattoor Oil
Wal-Mart

Casey's General Store
Freedom Valu Center/Erickson Oil
HyVee Food Store
Phillipps 66/Cattoor Oil
Sam's Place
Texaco
The Wooden Nickel

A question was raised in regard to the Police review and inspection of the places selling tobacco products.

APPOINTMENT – UTILITIES COMMISSION:

Edblom moved, Stores seconded, that Tom Tapper be appointed to the Utilities Commission for a term to expire on May 31, 2004. All voted in favor of the motion.

PRAIRIE EXPO FUNDING:

Discussion was held at this time on the request for a donation to the Prairie Expo from the City of Marshall. Rowe moved, Stores seconded, the approval of a donation to the Prairie Expo in the amount of \$5,000 from account number 101-40141-2211 and that a transfer be made from the Mayor and Council Contingency, account number 101-40141-7210. All voted in favor of the motion.

MAYOR AND COUNCIL REPORTS:

Reports by the Mayor and Councilmembers of the various boards, commissions and boards were as follows:

- Byrnes Regional Development Commission is continuing to advertise for an executive director.
- Stores Community Services continue to share facilities with other youth groups, the Adult Basic Education Classes are being held at SSU, the Community Center ADHOC Group is continuing to meet and ESL is willing to help with the census.
- Edblom Cable Commission met last week; Planning Commission items were acted on by the Council; Utilities Commission will meet tomorrow; Ways and Means Committee items were acted on by the Council; Personnel Committee needs to meet.
- Boedigheimer Airport Commission meeting was cancelled; Senior Citizen Center Commission and the Lyon County Enterprise Development Committee have not met; the Jt. LEC needs to have an open house.
- Doyle He was unable to attend the Housing Commission, Human Rights Commission and Convention & Visitors Bureau meetings.
- Rowe MERIT will meet on Wednesday at 5:30 P.M., Insurance Advisory Committee will meet on Friday and the Library Board will meet on Tuesday.
- Reynolds Hospital Board – Sioux Valley is interested in opening a practice in Marshall; the new Chief of Staff is Dr. Mishra, a date needs to be set for a tour of WMMC and the clinic is moving forward with their plans to open an office in the mall.

COUNCILPERSON INDIVIDUAL ITEMS:

MMUA held their site dedication at the MERIT Center; the oil spill on City property along Highway 68 was due to old drain tile. The spill will be cleaned up at no cost to the city.

BILLS/PROJECT PAYMENTS:

Edblom moved, Stores seconded, and it was unanimously approved that the following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 21736 through 21916.

REGULAR MEETING – NOVEMBER 15, 1999


BUILDING PERMITS:

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

Minnesota Municipal Utilities Association	1004 Michigan Road	Warehouse	\$191,000
Nohava Construction	1701 East College Drive	Reroof	\$43,800
True Value Home Center	825 Cullen Circle	Dwelling	\$275,000
Bakke's Home Repair & Construction	808 North 4th Street	Replace Door	\$400
Bladholm Construction, Inc.	1214 West Main Street	Distribution Warehouse	\$350,000
Elizabeth DeVos	512 East Main Street	Remodel Second Floor	\$600
Steve Tutt Construction	1401 Ridgeway Road	Addition	\$23,900
Martin Marthaler	103 "G" Street	Tower Base	\$200
Sussner Construction, Inc.	600 Michigan Road	Office Remodeling	\$84,700
Paxton Signs, Inc.	203 West Main Street	Install Sign	\$200
Hisken Construction	808 Westmar Circle	Reroof Dwelling	\$5,500
Chuck Hess	611 VanBuren Street	Garage Addition	\$5,000
Minnesota Department of Transportation	1800 East College Drive	Salt Shed	\$220,000
Master's Plan, LLP	818 West Southview Court	Two-Family Dwelling	\$180,000
Mark Mather	503 Central Avenue	Install Windows	\$1,400

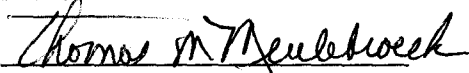
November 29, 1999 was the date set for a public hearing on the Flood Control Project.

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



Mayor of the City of Marshall

ATTEST:



Financial Director/City Clerk

SPECIAL MEETING – NOVEMBER 22, 1999

A special meeting of the City Council was held on November 22, 1999 in the Cottonwood Room in the Marshall Municipal Building. The meeting was called to order at 7:00 P.M. by Mayor Byrnes. In addition to Byrnes, those in attendance at the meeting were: Rowe, Edblom, Boedigheimer and Stores. Absent: Doyle and Reynolds. Staff in attendance at the meeting included: Michael Johnson, City Administrator; Keith Nelson, Director of Public Works/City Engineer; Rob Yant, Director of Public Safety; Calvin Barnett, Director of General Government Services; Harry Weilage, Director of Community Services; and Thomas M. Meulebroeck, Finance Director/City Clerk.

The purpose of this special meeting was to review the proposed budget for 2000.

Gayle Bofferding on behalf of the Lyon County Humane Society was in attendance at the meeting to discuss and review with the council the society's budget request for 2000 for the Animal Impound Center. Gayle addressed the activities of the Impound Center through October 31, 1999 and the projections for the remainder of 1999. Due to the reduction in volunteer hours, the impound has incurred additional payroll expense. The information Gayle provided was based on the State Statute, which requires a minimum of 5 days that unclaimed animals must be kept. The Impound Center has absorbed higher euthanizing costs. The four largest expenditures for the impound are: labor; food and cleaning supplies; vet services; and utilities. The estimated number of animals brought to the impound from within the City of Marshall for 1999 is 310. The County has increased its allocation to the Impound Center from \$5,000 to \$6,000 in 2000. The County will be sending letters to the City's within Lyon County informing them that they will be accountable for the dogs brought to the impound from their area and that the County will no longer assume that cost. The impound was requesting funding from the City in the amount of \$11,250 for 2000. Currently in the budget for 2000 is \$7,365.

Mike Johnson reviewed the proposed 2000 expenses in comparison to the 1999 budget expenditures by personnel, operating and maintenance, capital and transfers. Mike hi-lighted some of the major changes in these categories. Mike also addressed the changes in the General Fund and Library levies for 2000. The General Fund budget includes new revenues of \$100,000 for the Natural Gas Franchise, \$25,000 for the WMMC Franchise, \$128,000 transfer from the Capital Equipment Fund and \$99,596 for the transfer from the Marshall Municipal Utilities. The \$10,400 included in the Fire department budget for the Fire Relief Association was discussed. The Ways and Means Committee had recommended the \$10,400 payment to the Marshall Volunteer Fire Relief Association be deleted from the 2000 budget. Rowe moved, Stores seconded, that due to the financial stability of the Marshall Volunteer Fire Relief Association the \$10,400 included in the 2000 budget be deleted. All voted in favor of the motion.

Rowe moved, Stores seconded, that the Fire department capital account, 101-50352-5540 be increased by \$5,000 for the Jaws of Life and associated equipment. All voted in favor of the motion, except Boedigheimer and Edblom who voted no.

SPECIAL MEETING – NOVEMBER 22, 1999

Rowe moved, Stores seconded, the amount budgeted in 2000 for the Transfer to Lyon County Humane Society account number 101-50453-3812 be increased from \$7,365 to \$8,733. All voted in favor of the motion, except Boedigheimer who voted not.

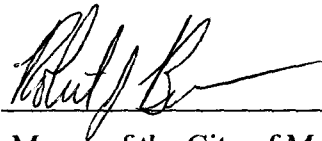
It was the general consensus that the Mayor and Council Contingency account 101-40141-7210 be increased from \$35,000 to \$39,954 to balance the General Fund 2000 Budget.

Harry Weilage gave a lengthy presentation on the changes that have taken place within the Community Services Office operations. A number of years ago the Community Services Office reorganized from Park and Recreation to Community Services. The office has become an operation offering community services rather than concentrating its efforts on activities. Many of the activities that are now offered by the Community Services Department are not revenue generators nor do they reflect a profit. With the restructuring, the operations now partner more with other agencies such as schools, colleges, the county and a number of associations. The Office of Community Services has completed its current strategic plan earlier than was projected; therefore they will be developing a new strategic plan in the near future.

Concern was expressed that the partnerships are equitably funded and that the financial reports more accurately reflect income and expenses related to each activity.

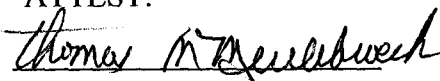
The loan that was made from the Liquor Fund to the General Fund for 1996 Airport Improvements, a part of which has been repaid and the balance considered paid in full, was discussed. The General Fund has re-paid the Liquor Fund \$76,465.53 in principal and \$28,534.47 in interest leave a principal balance of \$123,534.47. The possibility of the Liquor Fund reimbursing the General Fund for the amount that the General Fund has paid is to be researched and brought back to the City Council for further consideration.

With no further business brought forth at the meeting, the meeting was declared adjourned at 9:10 P.M.



Mayor of the City of Marshall

ATTEST:



Finance Director/City Clerk

SPECIAL MEETING – NOVEMBER 29, 1999

A Special Meeting of the Common Council of the City of Marshall was held on November 29, 1999 in the Council Chambers 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 Council Members were in attendance at the meeting: Rowe, Doyle, Edblom, Reynolds, Boedigheimer and Stores. Absent: none. Staff in attendance at the meeting included: Michael Johnson, City Administrator; Thomas M. Meulebroeck, Finance Director/City Clerk; and Brian Murphy, City Attorney.

The purpose of this special meeting was to conduct a public hearing to consider the improvements undertaken within the Storm Sewer District No. 1 and to consider the financing of these improvements. Mike Johnson, City Administrator, conducted the public hearing and began by providing a project overview of the improvements associated with the U.S. Corp of Engineers Project for Flood Control within the City of Marshall. In Mike's presentation he included a tape from a TV News Broadcast in regard to the floods of 1993. Mike concluded in his presentation pictures of the flood of 1957 and that of 1993 as well as some pictures of the improvements that have been done in association with this project. The total estimated cost of this project was \$10,900,000, which included costs associated with land and damages; relocations; channels; levy and floodwalls; recreation; diversion structure; plan, engineering, and design; construction management; and contingency costs. For the first phase of this project the City issued \$520,000 in General Obligation Bonds of 1996 and that was to match the Federal and State money that had been received at that time. Since 1996 the Corp of Engineers continued with the finalizing of the design of the proposed flood improvements and the acquisitions that were undertaken by the city in 1998 and construction beginning in 1999. Individual notices were mailed to all property owners within the corporate limits of the City of Marshall to notify them of this public hearing. The notice mailed to the properties within the City of Marshall addressed the financing of the project and the estimated tax impact. It is anticipated that this project will be completed by September of 2001. The funding for this project included approximately \$2,165,000; \$8,010,000 from the Federal Government; \$1,365,000 from the State Government and \$2,100,000 from the City of Marshall.

Dave Raasch, Project Manager for the U.S. Army Corp of Engineers, was in attendance at the meeting. Mr. Raasch addressed the process that was taken for the various stages of this project and addressed the items that needed to be completed to finalize this project. Mr. Raasch indicated that FEMA would be reevaluating the flood plain area and it is anticipated that the city will have new flood plain maps by March, 2001.

Mike Johnson indicated to those in attendance at the meeting that the purpose of this public hearing was to address the financing of the City's share of the improvements that had been done in conjunction with this Flood Control Project.

Don DeLanghe, rural Marshall, a number of times expressed his frustration with the project and how the monies were expended on this project.

SPECIAL MEETING – NOVEMBER 29, 1999

Jerry Shannon, Springsted's Inc., addressed the financing for the City's share of the improvements associated with the Flood Control Project. Mr. Shannon indicated that there was a public hearing held in 1996 to consider the improvements associated with the U.S. Army Corp of Engineers Flood Control Project and at that time the City issued \$520,000 for its share of the improvements and that the City is now requesting to issue bonds in the amount of \$1,645,000 to finalize the City's share of the cost associated with this project. The bonds will mature over 15-year period of time and the annual debt service is approximately \$217,000. Mr. Shannon provided an example of the tax impact of a homestead resident with an estimated market value of \$120,000 which indicated that the taxes could potential increase by \$17.00 on an annual basis.

Louis Otto, 413 North 3rd Street, questioned Mr. Shannon as to whether the amount that he had give in his example would be in addition to the notice that was provided to the residents of the City of Marshall. Mr. Shannon indicated that the example he gave is the same as was in the brochure and this is only the estimated amount for this project and does not include any other city, county, or school levies that may affect the taxes. Mr. Otto identified that there have been improvements up and down stream on the Redwood River and was asking if there were any plans to clean the river that flows through the City of Marshall. Mr. Otto was informed that that was not part of this flood control project and it is not certain as to who is responsible for the cleaning of the river.

Mr. Don DeLanghe again expressed his frustration with the project and the fact that he felt the money was going to divert the water and not solve the problem and what was going to be done assist the farmers with the additional water that he anticipated may be diverted to their property.

Denny Oeltjenbruns, rural Marshall, was concerned with who would be responsible for the damages in case there are damages with a future flood and who would be responsible for paying the costs associated if a suit is filed against the City of Marshall.

Loren Pihl, rural Marshall, expressed his frustration with the project and it was his feeling that the water was being diverted from one watershed area to another.

Joe Bot had submitted a written note to the City expressing his objection to any assessment for the Storm Sewer District Improvement.

Stores moved, Edblom seconded, that the public hearing be closed. All voted in favor of the motion.

Edblom moved, Stores seconded, the adoption of RESOLUTION NUMBER 2148, SECOND SERIES and that the reading of the same be waived. Resolution Number 2148, Second Series is a resolution Ordering City Improvements to be Undertaking within Storm Sewer District No. 1. All voted in favor of the motion.

SPECIAL MEETING – NOVEMBER 29, 1999

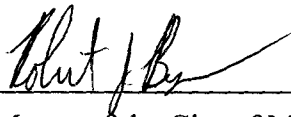
Doyle moved, Stores seconded, the adoption of RESOLUTION NUMBER 2149, SECOND SERIES and that the reading of the same be waived. Resolution Number 2149, Second Series is a resolution Authorizing and Awarding the Sale Of, and Providing the Form, Terms, Covenants and Directions for \$1,645,000 General Obligation Storm Sewer District Bonds Series 1999B. The three bids that were received at 10:00 o'clock A.M. at Springsted's Office in St. Paul on November 29, 1999 were from:

Bidder	Price	Net Interest Cost	True Interest Rate
Dain Rauscher Inc.	\$1,625,260	\$844,810.83	5.3689%
Salomon Smith Barney Cronin & Co., Inc.	\$1,625,260	\$851,570.42	5.4187%
U.S. Bancorp Piper Jaffray Inc.	\$1,625,260	\$867,257.71	5.5200%

Mr. Shannon did indicate that Moody did give the City an A3 Rating on this issue. This resolution provides for sale of bonds to Dain Rauscher Inc., at a cost of \$1,625,250 with a net interest cost of \$844,810.83 and a net interest rate of 5.3689%. Mr. Shannon did indicate that the settlement of this bond issue would be on December 15, 1999. All voted in favor of the motion.

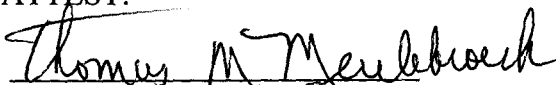
The City of Marshall currently has a contract with Springsted's Inc., to provide the arbitrage and rebate monitoring in continuing disclosure services. Edblom moved, Boedigheimer seconded, that the proper city personnel be authorized to execute the amendment to Addendum A of Agreement Services for Continuing Disclosure Services and the amendment to Addendum B of Agreement for Arbitrage and Rebate Monitoring for the \$1,645,000 General Obligation Storm Sewer District Bonds, Series 1999B. There would be no additional cost from Springsted's Inc., to perform the services for this bond issue, since the city already has a contract to provide those services for other bond issues for the city. All voted in favor of the motion.

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



Mayor of the City of Marshall

ATTEST:



Finance Director/City Clerk

TRUTH AND TAXATION PUBLIC HEARING
DECEMBER 6, 1999

The Truth and Taxation Public Hearing was held on Monday, December 6, 1999 in the Council Chambers of the Marshall Municipal Building. The meeting was called to order at 6:04 P.M. by Mayor Byrnes. In addition to Byrnes the following Councilmembers were in attendance at the meeting: Rowe, Doyle, Edblom, Boedigheimer and Stores. Absent: Reynolds. Staff in attendance at the meeting were: Mike Johnson, City Administrator; Keith Nelson, Director of Public Works/City Engineer; Thomas M. Meulebroeck, Finance Director/City Clerk; and Teri McCausland, Cable Coordinator. There was also one resident and one representative from the press in attendance at the meeting.

The purpose of this Truth and Taxation Public Hearing was to hear any comments of the City Council and from the general public in regard to the proposed budget and tax levy payable in the year 2000. Mike Johnson, City Administrator conducted the public hearing. Mr. Johnson indicated that the budget that is presented at this time is a preliminary budget. The final General Fund Budget will be presented to the City Council for approval at the December 20, 1999 City Council meeting. Mike Johnson commended Nona Stokke, Administrative Assistant, for her work in preparing the slides for the presentation at the Truth and Taxation Hearing.

Mike addressed the following 1999 accomplishments:

- Obtained \$2,275,000 in Federal Funding for Flood Control Project
- Started construction of Phase II of Flood Control Project
- Financed City share of Flood Control Projects - \$1,645,000
- Industrial Park Expansion (30 acre and 57 acre parks)
- Public Safety Department moved into new Joint Law Enforcement Center with Lyon County
- Minnesota West Community & Technical College moved into Municipal Building
- Marshall Emergency Response and Industrial Training Center (MERIT) – State appropriation of \$400,000 and partnership with Minnesota Municipal Utilities Association
- Hosted 1999 State Amateur Baseball Tournament
- Received \$125,000 Lawcom Grant from DNR for downtown park
- Submitted \$1,300,000 Small Cities Grant for DTED for downtown redevelopment
- Reconstruction of Jewett Street
- New Hy-Vee plat and development
- Marshall Action Plan (M.A.P.) Committee report
- Received housing grants totaling \$999,000 from Minnesota Housing Finance Agency and Greater Minnesota Housing Fund
- Public Safety grant positions for Community Resource Officer, School Liaison Officer, and Gang Strike Force Officer
- Telecommunication improvements within community
- Remodeling of Weiner Memorial Medical Center
- Start up on new Water Treatment Plant

TRUTH AND TAXATION PUBLIC HEARING
DECEMBER 6, 1999

Following the review of the 1999 Accomplishments, Mike reviewed the 2000 Issues Confronting the City:

- Complete Phase II of Flood Control Project
- Community Center Project
- Complete Industrial Park Expansion Project
- Downtown Redevelopment – new park
- Airport Projects (property acquisition, extension of utilities and new hangar)
- Housing Development Project with EDA (32 single family and 18 unit townhouse)
- Undertake improvements to Wastewater Facility (final effluent filters and sludge storage)
- Reconstruction of North 7th Street and Kossuth Street bridges
- Construction of Apparatus Storage/Maintenance Facility Building, MMUA Electrical Training Building and Training Venues at MERIT Center
- Renewal of cable television franchise
- Development of Joint Planning/Zoning/Subdivision Plans with Lyon County
- Determine future needs of Municipal Building

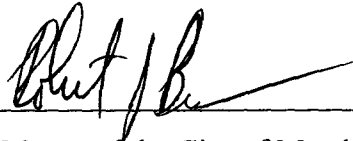
Mike briefly reviewed the General Fund total revenues and expenditures comparisons for the 12-year period of 1989 through the budget year 2000. Mike then briefly reviewed the revenue and budget comparisons of the year 2000 with those of the year 1999 by the different functions. Mike also, provided a brief summary of the capital outlay for the General Fund for the year 2000; the hand out on how the property taxes are determined; a comparison of state aid; and the allocation of the proposed 2000 tax levy and the budget impact on city taxes in comparison to the different values of residential, commercial and industrial properties. The property tax class rate and the City of Marshall tax capacity was reviewed. The hand out summarizing the break down of total tax capacity rate paid by the Marshall city residents from 1984 to the present was reviewed. This summary also included tax capacity rates of Lyon County, the school district, and Region VIII Welfare. Mike's final handout that he reviewed was the 1999 Tax Capacity Rates for cities of population of 8,000 and above in Greater Minnesota.

Following Mike's presentation on the various documents that were handed out the meeting was opened to any comments from the council and the general public. A concern was expressed and the procedure for grants and expenditures and the revenues that come in from those grants. Mike responded to this concern.

It was suggested that the information that was handed out at the public hearing be put on the City's Web Site.

TRUTH AND TAXATION PUBLIC HEARING
DECEMBER 6, 1999

With no further comments or concerns brought forth, Rowe moved, Doyle seconded, the public hearing be closed at 6:30 P.M. All voted in favor of the motion.



Mayor of the City of Marshall

ATTEST:



Financial Director/City Clerk

REGULAR MEETING – DECEMBER 6, 1999

The regular meeting of the Common Council of the City of Marshall was held on December 6, 1999 in the Council Chambers of the Marshall Municipal Building. The meeting was called to order at 7:30 P.M. by Mayor Byrnes. In addition to Byrnes the following members were in attendance at the meeting: Rowe, Doyle, Edblom, Reynolds, Boedigheimer and Stores. Absent: none. Staff present included: Mike Johnson, City Administrator; Brian Murphy, City Attorney; Keith Nelson, Director of Public Works/City Engineer; Thomas M. Meulebroeck, Finance Director/City Clerk; Rob Yant, Director of Public Safety; Dave Marks, Fire Chief; Bob VanMoer, Wastewater Treatment Superintendent; and Mark Klaith and Ray Henriksen from the Marshall Volunteer Fire Department.

The Pledge of Allegiance was recited at this time.

APPROVAL OF THE AGENDA:

It was the general consensus of the council that the agenda be approved with the consideration of a contract for the engineering design of the Wastewater Treatment Facility Effluent Filter and the contract for the engineering design for the Wastewater Treatment Facility Sludge Storage be the first items considered under new business.

APPROVAL OF THE MINUTES:

Rowe moved, Reynolds seconded, that the minutes of the regular city council meeting held on November 15, 1999 be approved as corrected by changing the date in the first paragraph of the minutes from November 1 to November 15; and that the minutes of the November 22, 1999 special city council meeting be approved with the addition of information to the presentation by Harry Weilage and a comment on the loan from the Liquor Fund to the General Fund; and that the minutes of the November 19, 1999 special city council meeting be approved as filed each member and that the reading of all the minutes be waived. All voted in favor of the motion.

PUBLIC HEARING – TRANSFER CABLE TV FRANCHISE:

This was the date and time set for the continuation of the public hearing to consider the application to transfer control of the City's cable television franchise from Bresnan Telecommunications Company, LLC to Charter Communications Holding Company, LLC. Mike Johnson, City Administrator, indicated that this public hearing was continued from the December 6, 1999 City Council meeting since the City's Cable Television Franchise Attorney had not received the information that he had requested from the Cable Company to evaluate the legal, technical and financial qualifications for Charter Communications Holding Company, LLC. Per the correspondence from Attorney Brian Grogan, the cable company has not supplied all of the information that was requested to finalize a recommendation to the city council. Mr. Grogan recommended that the city council close the public hearing after receiving additional public input and that the submittal of his report and corresponding recommendations and action items be considered at the December 20, 1999 City Council meeting. There were no questions or concerns addressed in regard to the transfer of the franchise, therefore Doyle moved, Reynolds seconded, that the public hearing be closed and that the report from Attorney Brian Grogan be considered along with his recommendation and the action items at the December 20, 1999 City Council meeting. All voted in favor of the motion.

PUBLIC HEARING – ANNEXING PROPERTY:

Due to the timing in getting out the notices for the public hearing to consider ordinances annexing property into the City of Marshall, Rowe moved, Stores seconded, the public hearing scheduled for December 20, 1999 at 7:30 P.M. be continued to January 3, 2000 at 7:30 P.M. The ordinances being considered for annexation consists of approximately 5.3 acres at the intersection of County Road 33 and Highway 59 and also .99 acres (formerly Club 59) along Highway 59 South. All voted in favor of the motion.

ORDINANCE REGULATING GAS FRANCHISE FEE:

Edblom moved, Rowe seconded, the adoption of ORDINANCE NUMBER 425, SECOND SERIES and that the reading of the same be waived. Ordinance Number 425, Second Series is an ordinance Amending the City Code Subdivision 10 of Section 3.20 Regulating a Franchise Fee for a Natural Gas Franchise in the City of Marshall, Minnesota. This franchise provides for the grantee to pay to the City an annual amount equal to three percent (3%) of its Gross Revenue. This ordinance will take effect January 1, 2000. Jeff Gunvalson from the Great Plains Natural Gas Company questioned the implementation of this ordinance. Mr. Gunvalson indicated that their billing for the month of January would be coming out the first part of February, therefore the franchise fee would be based on the billing that they would generate for January service. All voted in favor of the motion.

CONTRACT FOR ENGINEERING DESIGN FOR WWTF:

Mike Zagar, Short Elliott Hendrickson Rieke Carroll Mueller (SEH- RCM) was in attendance at the meeting to discuss with the council the proposed contract for Engineering Design for the Wastewater Treatment Plant Effluent Filter Project and the Wastewater Treatment Plant Sludge Storage Project. Mr. Zagar, indicated that these contracts for engineering services will assist the city in providing for the replacing of the existing Effluent Filters to maintain compliance with the City NPDES Discharge Permit issued by the State of Minnesota and to meet the requirement of the Minnesota Pollution Control Agency which require 6 month storage of biosolids to allow the flexibility needed in the land application program. Stores moved, Doyle seconded, that the proper city personnel be authorized to execute the contract between the City of Marshall and SEH-RCM for SEH-RCM to provide engineering design for the Wastewater Treatment Plant Effluent Filter and Sludge Storage Projects. Mr. Zagar indicated that the time schedule provides for them to start on the project as soon as they receive the authorization to proceed from the City of Marshall. All voted in favor of the motion.

WAYS AND MEANS COMMITTEE – FEES FOR FISCAL YEAR 2000:

Per the recommendation of the Ways and Means Committee, Edblom moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2150, SECOND SERIES and that the reading of the same be waived. Resolution Number 2150, Second Series is a resolution approving specific fees to be charged by the City of Marshall, Minnesota effective January 1, 2000. All voted in favor of the motion.

MERIT PROJECT:

Dave Marks, Fire Chief, and Tom Osterberg, Group II Architects, who are both members of the Marshall Emergency Response Industrial Training Center Board were in attendance at the meeting to discuss the recommendations of the sub-group of the MERIT Center Project who are working on the design and development of the Apparatus Storage/Maintenance Facility. Tom Osterberg, did address the design of the building and that the budget that has been put together for the construction of this facility. The budget for this facility is in the amount of \$896,389 and Mr. Osterberg indicated to the council, that in designing a building for the purpose that this one is intended for, the items that need to be considered are the durability, functionality, and sustainability. Following the discussion on the design for the Apparatus Storage/Maintenance Facility, Rowe moved, Edblom seconded, that per the recommendation of the MERIT Committee the proper city personnel be authorized to proceed with the preparation of the construction documents for the Apparatus Storage/Maintenance Facility. All voted in favor of the motion.

BIDS FOR FIRE DEPARTMENT TRUCK:

Dave Marks, Fire Chief, on behalf of a committee from the Fire Department did address with the council the items that have been considered for the replacement of the 1974 Pickup that was destroyed in a fire. Mr. Marks did indicated that the city is in the receipt of a DNR Grant in the amount of \$2,000 for

REGULAR MEETING – DECEMBER 6, 1999

the skid that was recently authorized by the City Council. Councilperson Boedigheimer was concerned with the Fire Department working with other departments in considering the different options for the replacement of the pickup for the Fire Department. Boedigheimer moved, Edblom seconded, that the authorization to solicit bids for a pickup for the Fire Department be tabled until such time other departments within the City of Marshall operations discuss the various options for the replacement of the pickup for the Fire Department. The vehicle that could potentially be used from the Street Department does not have air condition nor is it single axle. Due to the low mileage that is put on this vehicle it was suggested that the acquisition of a used vehicle be considered rather than a new vehicle. Mark Klaith a representative from the Fire Department on the committee did indicate that the problem they are finding with one ton used pickups is that they now have the extended cab with short boxes. The committee has checked various dealers to find a suitable vehicle, but are having difficulty finding used ones to meet the needs of the Fire Department. All voted in favor of the motion.

INSURANCE ADVISORY COMMITTEE RECOMMENDATIONS:

Upon the recommendation of the Insurance Advisory Committee, Rowe moved, Doyle seconded, that the life insurance coverage for the City of Marshall employees for the year 2000 be renewed with Madison National Life at the rate of \$0.26 per \$1000 for basic life insurance coverage; \$0.035 per \$1000 for AD&D Coverage and \$1.65 per unit for dependent life coverage. These rates are all monthly rates. All voted in favor of the motion.

Upon the recommendation of the Insurance Advisory Committee, Doyle moved, Rowe seconded, that the long term disability insurance coverage for the City of Marshall employees be renewed January 1, 2000 with Madison National Life at a rate of .39% of covered payroll. This rate is unchanged from 1999. All voted in favor of the motion.

Per the recommendation of the Insurance Advisory Committee, Stores moved, Edblom seconded, that Bremer Insurance Agency be designated as the agent of record for the 2000 Workers Comp Insurance Coverage. All voted in favor of the motion.

Per the recommendation of the Insurance Advisory Committee and the City Employee Insurance Committee, Edblom moved, Reynolds seconded, that the health insurance for the City of Marshall employees be changed to a \$2,500 deductible plan effective January 1, 2000 with the Blue Cross/Blue Shield pool provided by Southwest West Central Service Coop and administered by Apple Tree Institute. This plan provides for the employees to be responsible for 20% of dollar one coverage on the first \$2,500 of claims and 20% of the second \$2,500 of claims. With this plan a single employee could potentially pay \$1,000 in claims and a family \$2,000 on claims. All voted in favor of the motion.

EASEMENT HY-VEE ADDITION:

Per the request of Hy-Vee Inc., Doyle moved, Reynolds seconded, that a public hearing be scheduled for December 20, 1999 at 7:30 P.M. to consider the terminating of an easement for access and utility along a portion of "H" Street. The easement area is no longer needed. All voted in favor of the motion.

WASTEWATER USER RATES FY 2000:

Rowe moved, Stores seconded, that a public hearing be scheduled for December 20, 1999 at 7:30 P.M. to consider the Wastewater rates for the year 2000. The proposed rates are based on the November, 1998 rate review prepared by RCM Engineering. All voted in favor of the motion.

WESTERN COMMUNITY ACTION RENTAL AGREEMENT:

Per the recommendation of the Senior Citizen Commission, Edblom moved, Doyle seconded, the proper city personnel be authorized to execute a Memorandum of Agreement between the Senior Nutrition Services/Western Community Action Inc., and the Senior Citizen Commission/City of Marshall for the Western Community Action to pay the City of Marshall \$0.06 per meal for all hot meals prepared at the Marshall Senior Center. This agreement is for the period January 1, 2000 through December 31, 2000. All voted in favor of the motion.

HOLY REDEEMER CHURCH GAMBLING PERMIT:

Stores moved, Reynolds 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 Exempt Permit –LG 220 for the Holy Redeemer Church to be used at Carlin Hall, 503 West Lyon Street, Marshall, Minnesota on Sunday, January 9, 2000 and that the 30 day waiting period be waived. All voted in favor of the motion.

TOBACCO LICENSE:

Boedigheimer moved, Edblom seconded, a tobacco license be granted to Becky Brownlee DBA Pappy's for 1999. The fee for this license is \$48.00. All voted in favor of the motion.

LICENSES RENEWAL FOR 2000:

Contingent upon the city receiving the appropriate certificates of insurance and appropriate fees, Rowe moved, Doyle seconded, that the following Club On-Sale Liquor, Off-Sale Non-Intoxicating Beer, On-Sale Non-Intoxicating Beer, On-Sale Liquor, On-sale Liquor Sunday, and Tobacco license for the year 2000 be approved. The city had received correspondence from the County Auditor's Office that all applicants for On-Sale Liquor Licenses have paid their current real estate taxes.

CLUB ON-SALE LIQUOR (\$225/YEAR)

Eagles Club

OFF-SALE NON-INTOXICATING BEER (\$50/YEAR)

Ampride West (Lyon County Co-op)

Video & Music Latin

ON-SALE NON-INTOXICATING BEER (\$150/YEAR)

King's Wok Buffet

ON-SALE LIQUOR (\$3,500/YEAR)

Oregon Group DBA Best Western/Marshall Inn
Marshall Golf Club

Boulevard Developers DBA The Chalet
Pappy's (formerly RJB Investments and Dakotas)

ON-SALE LIQUOR – SUNDAY (\$200/YEAR)

Oregon Group DBA Best Western/Marshall Inn
Marshall Golf Club

Boulevard Developers DBA The Chalet

TOBACCO (\$48/YEAR)

Ampride Main (Lyon County Co-op)
Boulevard Developers DBA The Chalet
K.C.Pawn & Gun Shop
Marshall Golf Club
Pappy's
Traveler's Lodge

Ampride West (Lyon County Co-op)
Eagles
K-Mart
Marshall Liquor Store
SSU Bookstore/Corral
Video & Music Latin

REGULAR MEETING – DECEMBER 6, 1999

All voted in favor of the motion.

MAYOR AND COUNCIL REPORTS:

Reports by the Mayor and Councilmembers of the various boards and commissions were as follows:

Byrnes: No Report

Stores: Community Services Advisory Board had met last week and discussed the report that was provided by Harry Weilage at one of the city budget meetings – they addressed concerns on programming and the funding of these programs. The committee also discussed the trails and recreational improvements that were done in relationship to the Flood Control Project.

Edblom: Cable Commission will be meeting next week; Planning Commission the items considered by this committee were addressed at the City Council meeting; Utilities Commission will be meeting in a couple of weeks; Ways and Means Committee has met to consider the various rates for services provided by the City and has no immediate issues to address; Personnel Committee is addressing the Safety Committee Program to be done in conjunction with the Marshall Municipal Utilities, they will be provided a form to review the City Administrator's position; Insurance Committee will be looking at all insurance's in the year 2000.

Boedigheimer: Reported that the Lyon County Enterprise Development Committee had met but he was not able to attend this meeting. Mr. Boedigheimer questioned the status of an open house for the Jt. LEC and was advised that the City is waiting for a response from the Lyon County Administrator. It was suggested that a committee of the JT. LEC be held in the near future to discuss the status of the facility and if there any major areas of concern that need to be addressed.

Doyle: The minutes of the various committees that he attends were included in the agenda packet.

Rowe: The items addressed with the Insurance Advisory Committee and the MERIT Committee were addressed previously at this meeting; the Library Board did meet and had their annual review of the director, the library will be having special entertainment on December 16 and December 21 and the library also has a gift tree.

Reyonlds: Hospital Board will be meeting on December 20, 1999.

COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Councilmembers included: the addressing of the Community Services Ad-Hoc Committee recommendations; the suggestion for a Mayor/Council retreat to be held in January; the SWAT Team practice was an excellent experience and done very well; the MN West open house will be held in the Municipal Building on December 8, 1999; the second annual Police Academy will be holding its final meeting on December 7, 1999; and that the M.A.P. Ad-Hoc Committee submitted its report to the City Council at a 6:30 P.M. meeting on December 20, 1999 in the Cottonwood Room.

PENDING AGENDA ITEMS:

REGULAR MEETING – DECEMBER 6, 1999

The pending agenda item that was reviewed was the US Postal Facility public hearing to be held on December 13, 1999 at 7:00 o'clock P.M. in the Council Chambers of the Marshall Municipal Building.

BILLS/PROJECT PAYMENTS:

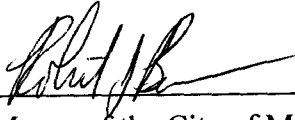
Edblom moved, Doyle seconded, and it was unanimously approved that the following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 21917 through 22081.

BUILDING PERMITS:

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

Steve & Juli Sanders	308 East Marshall Street	Garage	\$14,000
Richard & Kim Louwagie	402 South Hill Street	Install Window	\$300
Jennie-O Foods, Inc.	112 South 6th Street	Truck Shelter	\$87,000
Gary & Rita Smidt	403 Country Club Drive	Install Windows	\$1,200
Michael Christensen	1301 East College Drive	Temporary Transportable Sign	\$0
REM-Marshall, Inc.	1005 North 4th Street	Remodel Office	\$2,500
Carey J. Jensen	510 Lincoln Avenue	Remodel Basement	\$2,500
Daniel VanHauwaert	305 West Marshall Street	Kitchen Remodel	\$3,000
Art Matthys	1107 West Main Street	Interior Remodeling	\$8,000
Steve & Juli Sanders	308 East Marshall Street	Remodel Screen Porch	\$5,000
Steve & Veronica Meyer	302 Carrow Street	Basement Remodel	\$4,000
Trevor Hanson	906 Boxelder Avenue	Install Fireplace	\$500
Ace Signs Inc. of Willmar	1113 East College Drive	Install Sign	\$4,200

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



Mayor of the City of Marshall

ATTEST:



Financial Director/City Clerk

SPECIAL MEETING – DECEMBER 13, 1999

A special meeting of the Common Council of the City of Marshall was held on December 13, 1999 in the Council Chambers 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: Rowe, Edblom, Reynolds, Boedigheimer and Stores. Absent: Doyle. Staff in attendance at the meeting included: Michael Johnson, City Administrator; Dennis Simpson, representative of City Attorney; and Jane DeVries, Deputy City Clerk.

The purpose of this meeting was to hold a public meeting to discuss plans and options for a new postal facility in Marshall. At this time the following people were introduced: Carol Noble, Marshall Postmaster; Gary Hagemeyer, Supervisor of Customer Relations in Marshall; Shelly Manthei, Post Office Operations Manager; Brian Marshall, Manager of Northland District Area Facilities Office; and Bruce Davison, Project Manager with Buckco Inc.

The City of Marshall was notified on October 29, 1999 by the United States Postal Service that the present postal facility located at 302 West Lyon Street was inadequate to serve Marshall's future postal needs. Carol Noble, Marshall Postmaster, indicated that the current facility was constructed in 1936, the local post office employees 28 fulltime and 5 rural subs; they handle over 10 million pieces of mail per year and average 600 transactions per day at the windows.

Mr. Marshall indicated that they need a 75,000 sq. ft. site and will consider another building that meets their needs or another site and build a new post office. They require parking stalls for 17 employees, 2 handicapped and 19 stalls for the general public. The timetable for this project is as follows:

1. Attend public meetings – evaluate comments and decide how project will proceed.
2. Advertise for bids – February 21, 2000
3. Postal Site Review Committee – reviews all offered sites
4. Advise local officials and community of sites
5. Sites are studied and selection made – April 19, 2000
6. Local official advised.
7. Award bid – September 3, 2000
8. Completion of post office – June, 2001

Bob Kaufman spoke on behalf of the Downtown Redevelopment Committee. He indicated that they would like to keep the post office in the downtown business area and presented a map of 9 possible locations. This group did not consider any areas in the industrial area. He indicated that some of the locations available are vacant and others have homes and/or buildings on them.

Several suggestions and comments were presented as follows:

1. Councilperson Boedigheimer questions whether the shape of the lot needed to be considered. It was indicated that an L Shape lot would not be feasible for them.

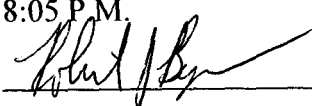
SPECIAL MEETING – DECEMBER 13, 1999

2. Doug Mosch questioned the acquiring of a large site downtown and how long it would be before there would not be enough room and how they would deal with an expansion.
3. Dr. LeRoy Affolter was concerned with the post office moving out of the downtown area and that this would increase the walking distance and the hours of staff time to go to and from the post office each day.
4. Tracy Veglahn, Marshall Area Chamber of Commerce, indicated that the post office currently provides window service to about 600 people per day and that by keeping the post office downtown it would continue to bring a lot of people to the downtown area.
5. Jim Archbold felt that it was important for people to get in and out of the post office in a timely manner and if you lived in the metro area it requires you to drive to get the same type of services.
6. Doug Mosch indicated that the parking stalls on 3rd Street are usually taken by 8:30 in the morning and that the stores in that area are not open by that time.
7. Stores asked if an existing building could be used. It was indicated that they would consider an existing building if it meets their needs and requirements.
8. E-mail may have an effect on the future of the post office, but it may also effect the number of packages that they deliver that are ordered via e-mail.
9. The old post office will be offered to other Federal Agencies first and if they are not interested, then it will be advertised and sold to the highest bidder.
10. Dr. Affolter indicated that some of the business along 3rd Street open at 8:00 and that their customers utilize the parking stalls along 3rd Street and also some employees from downtown park along 3rd Street.
11. It was suggested that a poll be taken to determine what other services customers would be utilized in the downtown area at the same time they are using the post office.
12. Richard MacDonald, Director Marshall/Lyon County Library, indicated that the Library opens at 8:30 A.M. and that several people who use the post office also use the library.
13. Councilperson Boedigheimer suggested that the post office construct their building on the back of a lot and that the post office and the downtown area share the parking area.
14. Bruce Davison indicated that cost is a major factor in this decision but that they would like to stay in the downtown area.
15. Tony Doom suggested the area of the Corner Bar and Hauge property being used for the post office.
16. Bob Kaufman indicated that the Downtown Redevelopment Committee discussed this option but felt that this area would be better serves as a retail area.
17. Councilperson Edblom suggested the block where General Trading and the small strip mall is located. It was indicated that this area was not large enough.
18. City Administrator Michael Johnson indicated that the post office needs 75,000 square feet, which is approximately $\frac{3}{4}$ of a city block.

SPECIAL MEETING – DECEMBER 13, 1999

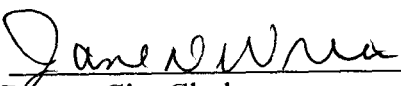
19. Councilperson Boedigheimer felt that they needed to stay away from an area that would require entering/exiting onto College Drive or Main Street.
20. Randy Johnson suggested a drive-thru service at the new location.
21. Rudy Kehren, Wee Moderns, indicated that there are several downtown business that also have rental units above them and that this takes up additional parking spaces in the downtown area. He suggested an area across from the fire station.
22. Councilperson Stores asked if the 100 block of downtown was large enough. This area was large enough, but the Downtown Redevelopment Committee felt that it should be used for retail.
23. City Administrator Mike Johnson was concerned if the city came up with a site in the downtown area and someone else came up with a site outside of the downtown area which one would the post office choose. The Postal Service would like to stay in the downtown area but the need to stay within their budget.
24. There has not been an appraisal done on the current post office as of this time.
25. Once again Bruce Davison reviewed the time frame the Postal Service was working in.
26. Brian Marshall felt that the bids for the post office property will be very competitive between the downtown area and land the other people may be interested in selling.
27. Dr. Affolter suggested using the area where Culligan is located and also making a city parking lot in the same area.
28. Stores suggested the Postal Service combine with another group. The Postal Service is not in favor of this option.

The meeting was adjourned at 8:05 P.M.



Mayor of the City of Marshall

ATTEST:



Deputy City Clerk

SPECIAL MEETING – DECEMBER 20, 1999

A special meeting of the Common Council of the City of Marshall was held on December 20, 1999 in the Cottonwood Room of the Marshall Municipal Building. The meeting was called to order at 6:40 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Rowe, Boedigheimer, Stores, and Reynolds. Edblom arrived late and Doyle was absent. Staff in attendance at the meeting included: Michael Johnson, City Administrator; Jane DeVries, Deputy City Clerk; and Harry Weilage, Director of Community Services arrived late.

The purpose of this meeting was to receive the report from the Ad-Hoc Community Center Committee. Members of the Ad-Hoc Community Center Committee and members of the Marshall Action Plan (MAP) Committee in attendance were: Bob Verkinderen, Steve Titus, Jean Haug, Gary Christianson, Diane Halgerson, Brian Hoffman, Steve Strautz, Richard Slieter, and Tracy Veglahn. Steve Titus presented a written report on the work that the Ad-Hoc Community Center Committee had done. He indicated that this committee employed a four-point strategy, which is as follows:

1. Confront and suspend committee member biases.
2. Educate and inform Marshall and the surrounding communities.
3. Provide a variety of forums and means for community ideas to be expressed and voices to be heard.
4. Accomplish its task within a nine-week timeframe.

Steve then reviewed the findings:

1. Strong Interest: The residents of Marshall and surrounding areas have a strong interest in bringing a family/community/activity center to the community.
2. Programs: The following programs were most frequently reported by survey respondents:

a. Walking/Jogging Track	65%
b. Dinner Theater	53%
c. Computer Training/Access	49.7%
d. Open Gym	48.7%
e. Family Swimming	47.6%
f. Theater Production	46.9%
g. Game Room	46.7%
h. Cardiovascular Machines	46.3%
i. Parties	45.9%
j. Conventions	45.2%

The 10 activities reported were categorized into five program areas:

- a. Aquatics – family swimming
- b. Community Meeting – Dinner Theater, Theater Production, Parties, Conventions
- c. Fitness – Walking/Jogging Track, Open Gym, Cardiovascular Machines
- d. Teen Center – Game Room
- e. Instructional Classes – Computers

SPECIAL MEETING – DECEMBER 20, 1999

3. Facilities were identified as follows

a. Fitness Center	58%
b. Theater/Auditorium	52%
c. Pool	48%
d. Teen Center	47%
e. Gymnasium	42%

Based on the findings of the Ad-Hoc Community Center Committee they made the following recommendations:

1. That the Marshall City Council recognize and respond to the strong interest in a family/community/activity center expressed by area citizens, and that it continue to move forward to make such a center a reality.
2. That the Marshall City Council reconvene the Marshall Action Plan Group to address issues of center location, design, and financing based on its earlier findings and recommendations and based on the findings and recommendations of the Ad-Hoc Community Center Committee.
3. That representative community members conduct a minimum of three site visits to facilities that provide similar activities to those identified by the Ad-Hoc Committee as a result of its analysis.

Additional comments at the meeting included:

1. If fitness activities and theater activities can be located in the same building.
2. The size and number of additional gyms and that these gyms should be available to the general public and not specific associations.
3. The number 1 priority is to recruit and retain families.
4. The college is not easily accessible.
5. The facilities at the schools are used for school functions.
6. The fitness center at Weiner Memorial Medical Center is near capacity, therefore another facility should not affect them.

Ron Halgerson, Group II Architects, was in attendance at the meeting and reviewed a Master Planning Process. He indicated that it would take 5 to 6 months to complete the Master Plan Process.

Councilperson Boedigheimer suggested that this be a "Y" facility and not a city facility.

It was the general consensus that the committees need to continue working together on this project and that they need to define who the stakeholders are and that they also need to be involved in this project.

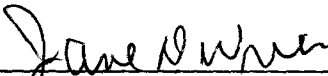
The special meeting of the City Council was adjourned at 7:25 P.M. but the other committees could continue their discussion.

SPECIAL MEETING – DECEMBER 20, 1999



Mayor of the City of Marshall

ATTEST



Deputy City Clerk

REGULAR MEETING – DECEMBER 20, 1999

The regular meeting of the Common Council of the City of Marshall was held on December 20, 1999 in the Council Chamber of the Marshall Municipal Building. The meeting was called to order at 7:30 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Rowe, Edblom, Reynolds, Boedigheimer and Stores. Absent: Doyle. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Keith Nelson, Director of Public Works/City Engineer; Thomas M. Meulebroeck, Finance Director/City Clerk; Robert VanMoer, Wastewater Superintendent; Rob Yant, Director of Public Safety; Jody Gladis, Marshall Police Department; and Jane DeVries, Deputy City Clerk.

The Pledge of Allegiance was recited at this time.

APPROVAL OF THE AGENDA:

It was the general consensus of the council that the agenda be approved with item no. 2 being the introduction of an ordinance to terminate easement rights.

APPROVAL OF THE MINUTES:

Rowe moved, Stores seconded, that the minutes of the Truth in Taxation Public Hearing held on December 6, 1999, the minutes of the regular meeting held on December 6, 1999 and that the minutes of the special meeting held on December 13, 1999 be approved as filed with each member, and that the reading of the same be waived. All voted in favor of the motion.

EASEMENT HY-VEE ADDITION:

Rowe moved, Reynolds seconded, the introduction of an ordinance and the calling for a public hearing to terminate the easement rights along "H" Street now in the Hy-Vee Addition. This easement is no longer needed. All voted in favor of the motion.

PUBLIC HEARING – 2000 WASTEWATER USER RATES:

This was the date and time set for a public hearing on the 2000 Wastewater User Rates. Keith Nelson, Director of Public Works/City Engineer, reviewed with the council the proposed Wastewater User Rates for 2000. These rates are based on the November 1998 Rate Review prepared by RCM Engineering. Bob VanMoer, Wastewater Superintendent, had met with the larger Wastewater Users in the City of Marshall and reviewed the proposed rates with them. Stores was concerned how Marshall compared to other cities. It was indicated that it is hard to compare Wastewater User rates with other cities because of the different industrial usage. There were no other concerns or objections, therefore Edblom moved, Reynolds seconded, the public hearing be closed. All voted in favor of the motion. Edblom moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2151, SECOND SERIES and that the reading of the same be waived. Resolution Number 2151, Second Series is a resolution Revising the User Rates for Wastewater Service. All voted in favor of the motion.

NANCY COLEMAN, CENSUS BUREAU:

Nancy Coleman a representative from the Census Bureau was in attendance at the meeting. She indicated that they need 100 people in Lyon County to help with the census. They are looking for people who are currently unemployed, employed, retired people and participants in government programs. They need to be 18 years of age or older and U.S. Citizens and they need to pass a test. Any help that the city can provide would be very much appreciated.

TRANSFER OF CONTROL OF BRESNAN TELECOMMUNICATIONS COMPANY LLC TO CHARTER COMMUNICATIONS HOLDING COMPANY, LLC:

At this time Brian Grogan, attorney with Moss and Barnett, reviewed with the council and others in attendance his report and recommendations on the transfer of control of Bresnan Telecommunications

REGULAR MEETING – DECEMBER 20, 1999

Company LLC to Charter Communications Holding Company, LLC. Mr. Grogan indicated that in order for a transfer to take place the applicant must meet certain legal, technical and financial qualifications. It was indicated that other communities have approved this same transfer for their communities and several other communities are in the process of the transfer. Rowe moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2152, SECOND SERIES and the Corporate Guaranty and that the reading of the same be waived. Resolution Number 2152, Second Series is a resolution Approving the Proposed Transfer of Control of Bresnan Telecommunications Company LLC to Charter Communications Holding Company, LLC. All voted in favor of the motion, except Boedigheimer who voted no.

APPROVING 1999 TAX LEVY:

Boedigheimer moved, Stores seconded, the adoption of RESOLUTION NUMBER 2153, SECOND SERIES and that the reading of the same be waived. Resolution Number 2153, Second Series is a resolution Approving the 1999 Tax Levy, Collectible in 2000. This resolution provides for a General Fund Levy of \$2,233,723 and a Debt Service Levy of \$188,700 for a Total Levy of \$2,422,423. All voted in favor of the motion.

ADOPTION BUDGET 2000:

Stores moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2154, SECOND SERIES and that the reading of the same be waived. Resolution Number 2154, Second Series is a resolution Adopting a Budget for 2000. This resolution provides for a General Fund Budget of \$7,610,552 in revenues and \$7,610,552 in expenditures and of which the revenues will be supported with a tax levy of \$2,233,723. All voted in favor of the motion.

PROPOSED ADOPTION OF BUSINESS SUBSIDY POLICY AND CRITERIA:

Edblom moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2155, SECOND SERIES and that the reading of the same be waived. Resolution Number 2155, Second Series is a resolution Calling for a Public Hearing on the Proposed Adoption of Business Subsidy Policy and Criteria. This public hearing will be held on January 3, 2000 at 7:30 P.M. All voted in favor of the motion.

EDA RECOMMENDATIONS:

Boedigheimer moved, Reynolds seconded, the approval of Tax Increment Financing for Clean Rite Supply Company in the amount of \$3,678. This financing is for 50% of the additional costs for the sewer stub-in and certain soil correction requirements that Clean Rite Supply Company has incurred. All voted in favor of the motion.

Stores moved, Reynolds seconded, the proper city personnel be authorized to pursue the acquisition of the property at 122 West Main Street for Downtown Redevelopment Purposes. This property is owned by Marshall Labs, Inc. All voted in favor of the motion.

UTILITY EASEMENT:

The Marshall Municipal Utilities has requested that the City of Marshall grant an additional 15 foot easement in Marshall Industrial Park Third Addition along Lot 2, Block 1 and along Lots 1 and 2, Block 2. This property is owned by the Housing and Redevelopment Authority, therefore Rowe moved, Reynolds seconded, that this request be tabled until January 3, 2000 when the Housing and Redevelopment Authority can meet and act on this. All voted in favor of the motion.

FINAL PAYMENT AND CHANGE ORDER – PROJECT 1998-003:

Stores moved, Reynolds seconded, the approval of the Change Order No. 3 for R & G Construction Co., for Project No. 1998-003 in the amount of \$4,567.04 and the approval of the final payment for Project No. 1998-003 to R & G Construction in the amount of \$67,585.90. This change order is for additional costs related to poor subsurface soil conditions and changes related to layout revisions approved by the City Council. All voted in favor of the motion.

FINAL PAYMENT AND CHANGE ORDER – PROJECT 1999-003:

Stores moved, Reynolds seconded, the approval of the Change Order No. 1 for Bartz Excavating, for Project No. 1999-003 in the amount of (\$6,064.60) and the approval of the final payment for Project No. 1999-003 to Bartz Excavating in the amount of \$3,632.40. This change order brings the total contract to \$55,936.06. DTG has paid the City of Marshall \$57,857.25, which was the original amount of the contract; therefore DTG needs to be refunded \$1,921.19. All voted in favor of the motion.

PAYING AGENT/REGISTRAR AGREEMENT:

Rowe moved, Edblom seconded, the proper city personnel be authorized to enter into a paying agent/registrar agreement between the City of Marshall and Norwest Bank Minnesota for the \$1,645,000 General Obligation Storm Sewer District Bonds Series 1999B. This agreement is for the same time period as the bond issued. All voted in favor of the motion.

U. S. POST OFFICE PROJECT:

Discussion was held at this time on the proposed U. S. Post Office Project. Boedigheimer indicated that he was not in favor of the city subsidizing this since the Post Office will be leasing the building and therefore the City of Marshall would be subsidizing a private developer. Byrnes indicated that this property would then be taxable. Rowe moved, Stores seconded, that the City of Marshall send a letter to the U. S. Post Office indicating that they are interested in the potential location of the new post office. It was indicated that the Comprehensive Plan and Zoning Plan would help determine the location of the post office. All voted in favor of the motion.

APPOINTMENTS TO TRANSIT ADVISORY COMMITTEE:

Boedigheimer moved, Stores seconded, that Letty Miranda, Heartland Foods Employment Coordinator; and Jim Knudson, Administrator of Boulder Estates; be appointed to the Transit Advisory Committee. Boedigheimer was concerned why the appointments to this committee were not done the same as all of the other committees of the City of Marshall. It was indicated that this is an Ad-Hoc group. All voted in favor of the motion.

A 5-minute recess was called at this time.

2000 MEETING DATES:

Edblom moved, Rowe seconded, that due to three City Council meetings falling on holidays in 2000 that new dates for these meetings be set as follows:

Monday Holidays	New meeting date
January 17, 2000 Martin Luther King Jr. Day	January 18, 2000
February 21, 2000 Presidents Day	February 22, 2000
September 4, 2000 Labor Day	September 5, 2000

All voted in favor of the motion.

AUDIOVISUAL EQUIPMENT:

Stores moved, Reynolds seconded, the proper city personnel be authorized to purchase Audiovisual Equipment. Preliminary estimates for this equipment (i.e. – laptop computer and carrying case @ \$2,500 and projection unit and carrying case @ \$4,500 to \$5,500). Authorization was also granted to transfer \$8,000 from part time salaries (101-40741-1103) to capital equipment (101-41641-5540) for this purchase. All voted in favor of the motion.

INSURANCE ADVISORY COMMITTEE:

Thomas M. Meulebroeck, Financial Director/City Clerk, reviewed with the council and others in attendance at the meeting the recommendations of the insurance advisory committee. Rowe moved, Edblom seconded, the approval of the renewal of the Administrator for the Dental Insurance with Great West Life & Annuity Insurance Company at a fee of \$3.75 per employee per month. This is an increase of \$0.25 per employee per month. All voted in favor of the motion.

Boedigheimer moved, Stores seconded, the approval of the renewal of the Workers Compensation Insurance with the League of Minnesota Cities Insurance Trust at a premium of \$69,351, which includes the \$2,500 deductible for medical costs only. There was no increase in the rates for workers compensation insurance. The increase is a result of the experience modifier increasing from .71 to .86. All voted in favor of the motion.

Rowe moved, Reynolds seconded, the approval of the renewal of the Long Term Disability Insurance with Madison National Life Insurance at a rate of .39% of covered payroll. The maximum annual covered salary will increase from \$80,000 to \$90,000 for the year 2000. All voted in favor of the motion.

Mayor Byrnes indicated that the update from the insurance company was very informational. A question was also raised in regard to the vaccination program.

SW MINNESOTA GANG STRIKEFORCE AGREEMENT:

Rob Yant, Director of Public Safety; and Jody Gladis, Detective Marshall Police Department; were in attendance at the meeting to review the grant for the SW Minnesota Gang Strikeforce. They indicated that Marshall has been awarded \$51,961 to fund Officer Gladis's position. This is 75% of his replacement officer for 18 months. Marshall also received \$117,855 for the operational expenses of the strikeforce as a whole. Marshall will be taking over as the Strikeforce Coordinator and the City of Worthington will become a member of the Strike Force and the City of Jackson will not be a member. Boedigheimer moved, Stores seconded, the adoption of RESOLUTION NUMBER 2156, SECOND SERIES and that the reading of the same be waived. Resolution Number 2156, Second Series is a resolution Authorizing Execution of an Agreement between the City of Marshall, Minnesota and the SW Minnesota Gang Strikeforce. All voted in favor of the motion.

At this time Rob Yant, Director of Public Safety, reviewed with the council and others in attendance on update on the Y2K. He indicated that there would be additional staff at City Hall between 9 P.M. and 1 A.M.; the fire department will have people at the fire station and there will be 4 sites – East Side Grade School, Park Side Grade School, County Market and the Senior Center – where there will be a city vehicle, radio and cell phone for anyone who needs help. The Senior Center will be designated at an emergency shelter if needed. It was also indicated that the State Regional Site for 18 counties will be at SSU from 6 P.M. to 4 A.M. They will be monitoring the Y2K as the time changes around the world.

REGULAR MEETING – DECEMBER 20, 1999

VACATION OF EASEMENT – 700 KENNEDY STREET:

Rowe moved, Edblom seconded, the introduction of an ordinance and the calling of a public hearing to vacate a utility easement for Lots 1 and 2, Block 1, VanUden's 3rd Addition. The public hearing will be held at 7:30 P.M. on January 3, 2000. All voted in favor of the motion.

FIREWORKS DISPLAY:

Stores moved, Edblom seconded, that the application from KMHL for a Fireworks Display on December 31, 1999 be approved contingent upon the city receiving adequate certificate of insurance coverage. This Fireworks Display will take place at 12:00 midnight from Justice Park, Independence Park and the Fairgrounds. The Marshall Fire Department will be in charge of setting off the fireworks. All voted in favor of the motion.

REALLOCATING BUDGET AMOUNTS FOR FISCAL YEAR 1999:

Upon the recommendation of Thomas M. Meulebroeck, Finance Director/City Clerk, Edblom moved, Stores seconded, the adoption of RESOLUTION NUMBER 2157, SECOND SERIES and that the reading of the same be waived. Resolution Number 2157, Second Series is a resolution Reallocating Budget Amounts for Fiscal Year Ended December 31, 1999. All voted in favor of the motion.

LICENSE RENEWAL FOR 2000:

Contingent upon the city receiving the appropriate certificates of insurance and appropriate fees, Edblom moved, Reynolds seconded, that the following On-Sale Liquor, On-Sale Liquor Sunday, Tobacco and Towing & Storage Licenses for the year 2000 be approved. The applicant for the On-Sale Liquor License had provided proof that they had paid their current real estate taxes.

ON-SALE LIQUOR (\$3,500/year)

Shover Recreation Center/Marshall Bowl

ON-SALE LIQUOR - SUNDAY (\$200/year)

Shover Recreation Center/Marshall Bowl

TOBACCO (\$48/year)

Brad's One Stop Plus

TOWING & STORAGE (\$150/year)

Brad's One Stop Plus

All voted in favor of the motion.

MAYOR AND COUNCIL REPORTS:

Reports by the Mayor and Councilmembers of the various boards and commissions were presented as follows:

Byrnes Regional Development Commission is holding interviews for a new director.

Stores Downtown Design Committee will be meeting on Tuesday.

REGULAR MEETING – DECEMBER 20, 1999

Edblom Cable Commission met last week; the Utilities Commission will be meeting on Tuesday; and the Planning Commission, Ways & Means Committee, and Personnel Committee have not met.

Boedigheimer No report.

Rowe Insurance Advisory Committee items were acted on by the council earlier in the meeting; Library Board is working on their budget and they have completed their evaluation of the Director; the Legislative and Ordinance Committee needs to meet after the first of the year.

Reynolds Hospital Board met earlier this evening and they are discussing a Generator Project.

COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Councilmembers included: the evaluation forms on the City Administrator should be completed and returned to Bob Byrnes by January 1, 2000; the follow up on the report by the Ad-Hoc Community Center Committee should be on the January 3, 2000 City Council agenda; and that a date needs to be set for a Mayor/Council retreat in January.

BILLS/PROJECT PAYMENTS:

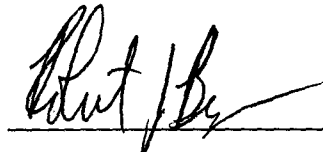
Edblom moved, Stores seconded, and it was unanimously approved that the following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 22082 through 22320.

BUILDING PERMITS:

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

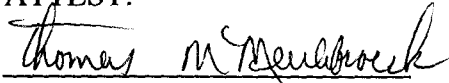
The Sign Shop	1405 East College Drive	Install Sign	\$3,200
The Sign Shop	1206 West Main Street	Install Sign	\$700
Minnesota Cabinets	419 West College Drive	Install Door	\$1,700
Shawn Hedman	111 George Street	Install Windows	\$600
Joe Kerkvliet	405 South Bruce Street	Install Window	\$700
Lincoln Street Partnership	1003 Dano Circle	8-Unit Apartment	\$210,000
Jarrold & Erin Barker	111 Gray Place	Install Window	\$700

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



Mayor of the City of Marshall

ATTEST:



Financial Director/City Clerk