

## REGULAR MEETING – JANUARY 3, 2000

The regular meeting of the Common Council of the City of Marshall was held on January 3, 2000 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, Edblom, Reynolds, Boedigheimer and Stores. Absent: Doyle. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Thomas M. Meulebroeck, Finance Director/City Clerk; Rob Yant, Director of Public Safety; Harry Weilage, Director of Community Services; Calvin Barnett, Director of General Services; David 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 as presented.

### **APPROVAL OF THE MINUTES:**

Rowe moved, Stores seconded, the minutes of the special meeting held on December 20, 1999 and the minutes of the regular meeting held on December 20, 1999 as corrected 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 – COUNCIL, HRA, EDA:**

This was the date and time set for a public hearing of the City Council, HRA and EDA to consider criteria for awarding business subsidies to for-profit and certain nonprofit private entities as required by Minnesota Statutes, Sections 116J.993 to 116J.995 (the "Business Subsidy Act"). Mayor Byrnes called the public hearing to order for the City Council and the HRA. Marshall EDA also conducted their public hearing at the same time and the EDA minutes will reflect their action. In order to fully comply with the law that went into effect on August 1, 1999, the city generally needs to do the following three things: 1) before providing any new business assistance, the city must first hold a public hearing and adopt criteria; 2) the city must enter into a subsidy agreement with each business receiving assistance and the agreement must establish specific goals and require repayment if goals are not met; and 3) in future years, the city must monitor compliance with the goals of the subsidy agreement and complete annual reports to DTED. Reynolds moved, Stores seconded, the HRA public hearing be closed. All voted in favor of the motion. Reynolds moved, Stores seconded, the City Council public hearing be closed. All voted in favor of the motion.

Rowe moved, Reynolds seconded, the adoption of the Housing and Redevelopment Authority RESOLUTION NUMBER 93, SECOND SERIES and that the reading of the same be waived. Resolution Number 93, Second Series is a resolution Adopting Criteria for Awarding Business Subsidies in Compliance with the Requirements of the 1999 Minnesota Business Subsidies Act. All voted in favor of the motion.

Stores moved, Edblom seconded, the HRA meeting be adjourned. All voted in favor of the motion.

Boedigheimer moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2158, SECOND SERIES and that the reading of the same be waived. Resolution Number 2158, Second Series is a resolution Adopting Criteria for Awarding Business Subsidies in Compliance

with the Requirements of the 1999 Minnesota Business Subsidies Act. All voted in favor of the motion.

**TERMINATION OF EASEMENTS IN HY-VEE ADDITION:**

This was the date and time set for a public hearing on the termination of easements in Hy-Vee Addition. Stores moved, Edblom seconded, the public hearing be closed, that ORDINANCE NUMBER 426, SECOND SERIES be adopted and that the reading of the same be waived. Resolution Number 426, Second Series is an ordinance Vacating a Utility Easement in the City of Marshall. This ordinance provides for the vacating of an easement in the Hy-Vee Addition. All voted in favor of the motion.

**VACATION OF EASEMENT – VANUDEN'S THIRD ADDITION:**

This was the date and time set for a public hearing on the vacation of an easement in VanUden's Third Addition. Edblom moved, Reynolds seconded, the public hearing be closed, that ORDINANCE NUMBER 427, SECOND SERIES be adopted and that the reading of the same be waived. Ordinance Number 427, Second Series is an ordinance Vacating a Utility Easement in the City of Marshall. This ordinance provides for the vacating of an easement in Lots 1 and 2, Block 1, VanUden's Third Addition at 702 Kennedy Street. All voted in favor of the motion.

**PROPOSED ANNEXATION OF PROPERTY:**

Brian Murphy, City Attorney, reviewed with the council and others in attendance at the meeting the proposed annexation of the former Club 59 property currently owned by the Minnesota Department of Transportation; and 2 parcels located at the intersection of CR 33 and TH 59 currently owned by Schwan's. The only concern was that of Bruce DeVos from Fairview Township on the location of the property. Edblom moved, Rowe seconded, the public hearing be closed.

Stores moved, Edblom seconded, the adoption of ORDINANCE NUMBER 428, SECOND SERIES and that the reading of the same be waived. Ordinance Number 428, Second Series is an ordinance Extending the Corporate Limits of the City of Marshall to Include Certain Unincorporated Territory Bordered by Land within the City Limits of Marshall and Abutting Thereon. This ordinance provides for the former Club 59 property to be annexed into the City of Marshall. All voted in favor of the motion.

Rowe moved, Stores seconded, the adoption of ORDINANCE NUMBER 429, SECOND SERIES and that the reading of the same be waived. Ordinance Number 429, Second Series is an ordinance Extending the Corporate Limits of the City of Marshall to Include Certain Unincorporated Territory Bordered by Land within the City Limits of Marshall and Abutting Thereon. This ordinance provides for the two parcels of property located at the intersection of CR 33 and TH 59 to be annexed into the City of Marshall. All voted in favor of the motion.

**2000 FORESTRY ASSISTANCE MATCHING GRANT:**

Dave Marks, Fire Chief, indicated to the council and others in attendance at the meeting that the 2000 Forestry Assistance Matching Grant cannot be used for the replacement of the grass skid unit since the equipment was replaced before the grant was approved. Stores moved, Rowe seconded, that the approval of the 2000 Forestry Assistance Matching Grant be tabled. All voted in favor of the motion.

**FEDERAL EQUITABLE SHARING AGREEMENT:**

Rob Yant, Director of Public Works, reviewed with the council the Federal Equitable Sharing Agreement. The Marshall Police Department/City of Marshall is a member of the Brown, Lyon and Redwood County Drug Taskforce. The taskforce is not an incorporated entity and operates through the six member agencies. To get federally forfeited funds the taskforce, and in the absence of the incorporation of the taskforce, the six member agencies must have the Federal Equitable Sharing Agreement in place, therefore Stores moved, Edblom seconded, the proper city personnel be authorized to enter into the Federal Equitable Sharing Agreement. All voted in favor of the motion.

**CALL FOR PUBLIC HEARING – ISSUANCE OF REVENUE BONDS BY CITY OF BRAINERD:**

Stores moved, Reynolds seconded, that a public hearing be held on the issuance of revenue bonds by the City of Brainerd under Minnesota Statutes, Sections 469.152 through 469.1651, as amended, to finance property for the benefit of Lutheran Social Service of Minnesota. Upon approval of the respective City Councils where Lutheran Social Services is located they may be able to obtain tax exempt financing from the City of Brainerd to finance capital purchases that will benefit Lutheran Social Service facilities located in Brainerd and other cities throughout the State of Minnesota. It is anticipated that a portion of the funding will be used to benefit Lutheran Social Service of Minnesota here in Marshall to the tune of \$19,300 for a vehicle. The public hearing will be held at 7:30 P.M. on February 7, 2000. All voted in favor of the motion.

**CALL FOR PUBLIC HEARING – MN DEPT OF TRADE & ECONOMIC DEVELOPMENT GRANT:**

Reynolds moved, Stores seconded, that a public hearing be held at 7:30 P.M. on January 18, 2000. The purpose of this public hearing is to receive citizen's comments regarding submission of an application to the Minnesota Department of Trade and Economic Development for a Minnesota Investment Fund Program Grant Application. The purpose of the application is to apply for a grant to be loaned to Iceberg Acquisitions (formerly Diamond Clear Ice). All voted in favor of the motion.

**REPORT AND RECOMMENDATION FROM AD HOC COMMUNITY CENTER COMMITTEE:**

Steve Titus, Chairman of the Ad Hoc Community Center Committee, was in attendance at the meeting. Discussion included:

1. What the next step would be – building site, style, cost, etc.
2. YMCA type facility so there is not an ongoing expense for the City.
3. Consider as an area center – need input from county, other cities, school district and SSU
4. Eight out of ten programs were within 5% of being the most requested – can all of these programs be located in the same facility?

Mt. Titus indicated that the committee reported on what the community wanted and suggested that they visit other facilities that have most of the same type of programs as our community is requesting. Discussion also included the Master Plan bringing the stakeholders together and what type of help can the Community Services Board or other boards provide.

**UTILITY EASEMENT:**

Per the request of City Attorney Brian Murphy the request of Marshall Municipal Utilities for a utility easement was removed from the agenda.

**AUTHORIZATION TO SOLICIT BIDS – STREET DEPARTMENT TRUCK:**

Discussion was held at this time on authorization to solicit bids for a one-ton all-wheel-drive truck with dual rear wheels for the Street Department. It was suggested that the Street Department receive a new vehicle and that the 1993 one-ton pickup currently in the Street Department be transferred to the Fire Department. Boedigheimer moved, Reynolds seconded, that the proper city personnel be authorized to advertise for bids for a one-ton all-wheel-drive truck. The bids are to include an alternate bid that includes the old dump box and hoist from the 1993 pickup that would fit on the new pickup. All voted in favor of the motion.

**ADVERTISEMENT FOR BIDS – TURF MOWER REPLACEMENT:**

Edblom moved, Rowe seconded, the proper city personnel be authorized to advertise for bids for a turf mower to replace the Jacobson 5111 High Capacity 4-wheel drive turf mower. These bids are to be received at 2:00 P.M. on January 13, 2000. All voted in favor of the motion.

**TRANSIENT MERCHANT LICENSE:**

Rowe moved, Edblom seconded, the approval of a transient merchant's license for The Pacesetter Corporation for the calendar year 2000 at a fee of \$250.00. Pacesetter Corporation is a Home Improvement Contractor that will be contacting individual residences. All voted in favor of the motion.

**GAMBLING APPLICATION – SOUTHWEST RIDGE RUNNERS:**

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 Southwest Ridge Runners to be used at Action Sports, 301 South Hwy 23 By-Pass, Marshall, Minnesota on Monday, February 14, 2000 and that the 30 day waiting period be waived. All voted in favor of the motion.

**DESIGNATING OFFICIAL NEWSPAPER:**

Stores moved, Rowe seconded, the adoption of RESOLUTION NUMBER 2159, SECOND SERIES and that the reading of the same be waived. Resolution Number 2159, 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.

**DESIGNATING OFFICIAL DEPOSITORIES:**

Rowe moved, Stores seconded, the adoption of RESOLUTION NUMBER 2160, SECOND SERIES and that the reading of the same be waived. Resolution Number 2160, Second Series is a resolution Appointing Official Depositories for City Funds for 2000. All voted in favor of the motion.

**APPOINTMENT TO LIBRARY BOARD:**

Rowe moved, Reynolds seconded, that LaVonne Lutz be reappointed to the Library Board for a term to expire on December 31, 2002. All voted in favor of the motion.



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### MAYOR AND COUNCILMEMBER REPORTS:

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

Byrnes      EDA items were discussed earlier in the meeting; Fire Relief Association will meet next week; Regional Development Commission is still interviewing for the Director position.

Stores      Community Services Board will meet this Wednesday; Downtown Design Committee has commended Murray's Auto Glass on improving and updating his property on East College Drive.

Edblom      Cable Commission, Planning Commission, Utilities Commission and Ways & Means Committee have not met; Personnel Committee needs to set a meeting date.

Boedigheimer Airport Commission minutes from the December 13, 1999 meeting are included in the agenda packet; Senior Citizen Center Commission will meet next week; Lyon County Enterprise Development and the Jt. LEC have not met.

Rowe      Insurance Advisory Committee, Library Board and Legislative & Ordinance Committee have not met.

Reynolds      Hospital Board will meet on January 18, 2000.

### COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Councilmembers included: there is a concern about the speed limit being 65 mph on Hwy 23 in the city limits; Boedigheimer will not be at the next City Council meeting; the Legislative and Ordinance Committee needs to review the Transient Merchant License; there were several business places in Marshall that were in violation of the Tobacco Ordinance – the random checks should be done prior to license renewal so any necessary action can be taken at that time.

### 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. 22321 through 22462.

### BUILDING PERMITS:


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

Don Culligan	515 East Main Street	Reroof	\$1,300
Ace Signs	1420 East College Drive	Install Sign	\$7,400
North Star Modular Homes	1402 Cumberland Road	Prefabricated Dwelling	\$40,700
James & Teresa Sullivan	214 Carrow Circle	Install Windows	\$1,600
Weiner Memorial Medical Center	300 South Bruce Street	Radiology Suite Remodel	\$165,000

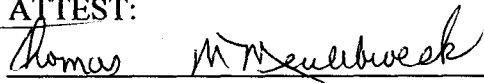
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There will be a meeting a 7:00 P.M. on January 18, 2000 to review the Marshall Municipal Utilities budget. It was indicated that construction has started on the installation of the Railroad lights on Legion Field Road, therefore the Legislative and Ordinance Committee should review the ordinance on whistle blowing in the city limits. It was indicated that everything went smoothly on Friday, December 31, 1999 as it relates to Y2K.

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

  
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Mayor of the City of Marshall

ATTEST:

  
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Financial Director/City Clerk

Financial Director/City Clerk

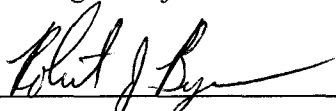
SPECIAL MEETING – JANUARY 18, 2000

A special meeting of the Common Council of the City of Marshall was held on January 18, 2000 in the Council Chambers of the Marshall Municipal Building. The meeting was called to order at 7:00 o'clock P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Rowe, Edblom, Reynolds and Doyle who arrived late. Absent: Boedigheimer and Stores. Representatives from the Marshall Municipal Utilities in attendance at the meeting included: Manager Greg Sherman; Commission Chairman Gary Becker; Finance Officer Roxy Moon; and Utility Commissioner Dan Baun.

The purpose of this special meeting was to allow Marshall Municipal Utilities to provide a presentation on their budget for the year 2000. Utility Commission Chairperson Gary Becker provided a review of the Marshall Municipal Utilities budget for the year 2000. Mr. Becker did highlight the unaudited numbers for the electric and water departments for the year 1999 in comparison to the budgeted numbers for 1999. Mr. Becker did indicate that the unaudited electric figures included the rate increase in May of 1999 and October of 1999. Mr. Becker did indicate that the Marshall Municipal Utilities is working on two new projects including a new alarm system and the establishment of a well field in the Cottonwood area. The City Council was informed that the Utilities may be coming forward with a bond issue of approximately \$6,000,000 in 2000 for the water field development. A brief discussion was held on the possibility of a franchise fee from the water department.

On behalf of the City the Mayor extended to the Municipal Utilities and its Commissioners the City's appreciation for the Utilities efforts and accomplishments.

Edblom moved, Rowe seconded, the meeting be adjourned at 7:25 P.M. All voted in favor of the motion.

  
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Mayor of the City of Marshall

ATTEST:

  
\_\_\_\_\_  
Finance Director/City Clerk

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The Pledge of Allegiance was recited at this time.

### **APPROVAL OF AGENDA:**

It was the general consensus of the City Council that the agenda be approved with the addition of the consideration of an agreement for the lease of a motor grader from Midwest Contracting, LLC for use by the Public Works Department and the consideration of a Joint Powers Agreement with the Minnesota Department of Public Safety to allow for the purchase of 4 tire deflation devices which provides for a one to one match of \$1,050.

### **APPROVAL OF MINUTES:**

Reynolds moved, Stores seconded, that the minutes of the regular meeting held on January 3, 2000 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 – MN DEPT OF TRADE AND ECONOMIC DEVELOPMENT GRANT APPLICATION:**

This was the date and time set for a public hearing to consider an application to the Minnesota Department of Trade and Economic Development under the Minnesota Investment Fund Program for the purpose of a grant to be loaned to Iceberg Acquisitions. This application is for a \$50,000 grant to be loaned to Iceberg Acquisitions with the eventual repayment back to the City of Marshall. Ann Peterson from the Prairland Economic Development Commission was in attendance at the meeting to conduct the public hearing and to answer any questions or concerns in regard to the grant application. Ms. Peterson indicated that Iceberg Acquisitions had acquired the Diamond Clear Ice property and it is their intent to add a 3,300 square foot addition to their building. With the expansion to the building their plans are to add 7 fulltime equivalent positions. The \$50,000 grant application is intended for equipment. On September 3, 1996 the City Council had adopted Resolution Number 1912, Second Series, which is a resolution for Residential Antidisplacement, Relocation Assistance and Displacement Minimization Plan for the City of Marshall and the adoption of Resolution Number 1913, Second Series is the City of Marshall Adopted Fair Housing Policy. These resolutions are applicable to meet the necessary requirements for this grant application. In addition to these two resolutions Ms. Peterson indicated that the city needs to address the housing and community need certification, which are needed for this grant application. With no further questions or concerns brought forth at the public hearing, Rowe moved, Doyle seconded, that the public hearing be closed. All voted in favor of the motion. Doyle moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2161, SECOND

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SERIES and that the reading of the same be waived. Resolution Number 2161, Second Series is a resolution Authorizing the Proper City Personnel to Submit a Business and Community Development Application to the Minnesota Department of Trade and Economic Development for Iceberg Acquisition, Inc. All voted in favor of the motion.

### **MARSHALL'S COMMUNITY CIRCLE PROJECT:**

Jackie Zerr, Jean Replinger and Carol Marshall were in attendance at the meeting to discuss the Marshall's Community (Circle Project). This project is entitled "Changing Faces, Changing Communities" involving eight to ten community discussion circles on immigration. These groups each include approximately eight to ten people representing a cross section of the community including but not limited to ethnic, socioeconomic, political, religious and citizenship-status backgrounds, each bring their own values and speaking from their perspective of values. The intent of the project representatives in attendance at the meeting was to inform the City Council of this project and seeking individuals to be part of the discussion circles.

### **CONDITIONAL USE PERMIT – LINDA RYE:**

Upon the recommendation of the Planning Commission, Rowe moved, Edblom seconded, that a five-year renewal of a Conditional Use Permit for a home occupation to operate a beauty shop in an R-1 One Family Residence District be granted to Linda Rye at 102 George Street. All voted in favor of the motion.

### **CONDITIONAL USE PERMIT – HILLER DEVELOPMENT:**

Scott Hiller on behalf of Hiller Development was in attendance at the meeting to address and answer any questions of the City Council in regard to the request for a Conditional Use Permit for a two-family dwelling under split ownership in an R-1 One Family Residence District at 1102 Indiana Jones Avenue and also at 1106 DeVito Street. Upon the recommendation of the Planning Commission, Stores moved, Doyle seconded, a Conditional Use Permit be granted to Hiller Development for a two-family dwelling under split ownership in a R-1 One Family Residence District at 1102 Indiana Jones Avenue and 1106 DeVito Street with the following 10 conditions for each of the parcels:

1. That the dwellings have separate utility service lines to each unit.
2. That the owners execute a common maintenance agreement containing covenants as to uniformity of exterior appearance of the dwellings.
3. Provided that proper separation of units exist 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 of the lot be compatible with the neighborhood.
6. That landscaping, fencing, grading, exterior lighting, and driveway conform to 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.

**REVOKING AND ESTABLISHING MUNICIPAL STATE AID HIGHWAYS:**

Keith Nelson, Director of Public Works/City Engineer, addressed the revoking of Municipal State Aid Highways and the establishment of State Aid Highways within the City of Marshall. The streets that are designated as Municipal State Aid Highways are eligible for state financing for construction and major maintenance items. If a designated street is removed from the list of Municipal State Aid Highways within 20 years of it being constructed with State Aid money, a prorated portion must be removed from the aid on a future project. Mr. Nelson indicated that the goal is to have streets, which are of significant community importance to be designated as a State Aid street. The street must terminate on another State Aid Street of a County State Aid street or State highway. The streets being recommended to be revised as a part of the State Aid Highway system will allow the city to use State Aid money to help fund two pending projects including the 6<sup>th</sup> Street construction and the bridge on North 7<sup>th</sup> Street. The estimated funding due to the new designation is \$350,000 between the two projects and an estimated refund due to the revocation of designations that will need to be applied to future project is \$76,500. Doyle moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2162, SECOND SERIES and that the reading of the same be waived. Resolution Number 2162, Second Series is a Resolution Revoking Municipal State Aid Highway including Mustang Trail, Birch Street and State Street from T.H. 19 to 600 feet North of Birch Street designated at Municipal State Aid Street Number 113.010. All voted in favor of the motion.

Edblom moved, Reynolds seconded, and it was unanimously approved that the following resolutions be adopted Revoking Municipal State Aid Highways in the City of Marshall, Minnesota and that the reading of the same be waived:

1. RESOLUTION NUMBER 2163, SECOND SERIES is a Resolution Revoking Municipal State Aid Highways in the City of Marshall which includes 7<sup>th</sup> Street from Main Street to Marshall Street and designated as Municipal State Street Number 102.010.
2. RESOLUTION NUMBER 2164, SECOND SERIES is a Resolution Revoking Municipal State Aid Highways in the City of Marshall which includes Marshall Street from 6<sup>th</sup> Street to 7<sup>th</sup> Street and is designated as Municipal State Street Number 103.040.
3. RESOLUTION NUMBER 2165, SECOND SERIES is a Resolution Revoking Municipal State Aid Highways in the City of Marshall which includes Legion Field Road from Kendall Street to T.H. 19 and is designated as Municipal State Street Number 108.010.
4. RESOLUTION NUMBER 2166, SECOND SERIES is a Resolution Revoking Municipal State Aid Highways in the City of Marshall which includes of Kendall Street from Legion Field Road to 6<sup>th</sup> Street and is designated as Municipal State Street Number 109.010.
5. RESOLUTION NUMBER 2167, SECOND SERIES is a Resolution Revoking Municipal State Aid Highways in the City of Marshall which includes 6<sup>th</sup> Street from Kendall Street to Lynd Street and is designated as Municipal State Street Number 109.020.

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6. RESOLUTION NUMBER 2168, SECOND SERIES is a Resolution Revoking Municipal State Aid Highways in the City of Marshall which includes 6<sup>th</sup> Street from Lynd Street to Saratoga Street and is designated as Municipal State Street Number 109.030.

Rowe moved, Doyle seconded, and it was unanimously approved that the following resolutions be adopted Establishing Municipal State Aid Highways within the City of Marshall and that reading of the same be waived:

1. RESOLUTION NUMBER 2169, SECOND SERIES is a Resolution Establishing Municipal State Aid Highways in the City of Marshall including Mustang Trail from T.H. 19 to Birch Street and designated as Municipal State Aid Street number 113.010.
2. RESOLUTION NUMBER 2170, SECOND SERIES is a Resolution Establishing Municipal State Aid Highways in the City of Marshall including Birch Street from Mustang Trail to O'Connell Street and designated as Municipal State Aid Street number 114.030.
3. RESOLUTION NUMBER 2171, SECOND SERIES is a Resolution Establishing Municipal State Aid Highways in the City of Marshall including 7<sup>th</sup> Street from Channel Parkway Extension to CR 33 an designated to as Municipal State Aid Street number 102.050.
4. RESOLUTION NUMBER 2172, SECOND SERIES is a Resolution Establishing Municipal State Aid Highways in the City of Marshall including 6<sup>th</sup> Street from T.H. 68 & T.H. 59 to Marshall Street and designated as Municipal State Aid Street number 109.030.
5. RESOLUTION NUMBER 2173, SECOND SERIES is a Resolution Establishing Municipal State Aid Highways in the City of Marshall including South 4<sup>th</sup> Street from Country Club Drive to T.H. 19 West and designated as Municipal State Aid Street number 124.030.

**RESOLUTIONS ORDERING PREPARATION OF REPORT ON IMPROVEMENT:**

Keith Nelson, Director of Public Works/City Engineer, reviewed various public improvement projects considered for the year 2000. Following the review of the various projects Reynolds moved, Stores seconded, and it was unanimously approved that the following resolutions be adopted:

1. RESOLUTION NUMBER 2174, SECOND SERIES is a resolution Ordering the Preparation of Report on the Improvement for Project No. 2000-001 which is the 6<sup>th</sup> Street Reconstruction Project extending from Main Street to High Street. The improvements being considered as a part of this project are the regrading, asphalt surfacing, storm sewer, sanitary sewer, and watermain replacement. Funding for this project is anticipated to be through the storm water utility, Wastewater Treatment Facility Fund, the Marshall Municipal Utilities, State Aid Fund and assessments.
2. RESOLUTION NUMBER 2175, SECOND SERIES is a resolution Ordering the Preparation of Report on the Improvement for Project No. 2000-002 which is the water and sanitary sewer extension to the Marshall Municipal Airport. This project provides for the sanitary sewer to be extended from the area of the softball complex

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- to the Airport property, and the watermain would start at the railroad and run to the same point at the Airport replacing a 4-inch watermain.
3. RESOLUTION NUMBER 2176, SECOND SERIES is a resolution Declaring Adequacy of Petition and Ordering the Preparation of Report for Project No. 2000-003 which includes the improvements of grading, asphalt surfacing, curb and gutter, storm sewer, sanitary sewer and water improvements for the Ted Olson's 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> Addition. The funding for this project would be entirely through special assessments. The owner of the majority of the property has petitioned these improvements and that the costs be assessed.
  4. RESOLUTION NUMBER 2177, SECOND SERIES is a resolution Declaring Adequacy of Petition and Ordering Preparation of Report for Project No. 2000-004 which includes the improvement of watermain, sanitary sewer, storm sewer and street construction for the Wilke-Miller-Buesing First Addition. This project will be funded by special assessments. The affected property owners have petitioned these improvements and signed an agreement of assessment and waiver of appeal.
  5. RESOLUTION NUMBER 2178, SECOND SERIES is a resolution Ordering Preparation of Report on Improvement for Project No. 2000-005 which is the Southview Drive watermain replacement project between 2<sup>nd</sup> Street and 4<sup>th</sup> Street. The cost for the replacement of this project will be assessed to the benefited property owners.
  6. RESOLUTION NUMBER 2179, SECOND SERIES is a resolution Ordering Preparation of Report on Improvement for Project No. 2000-006 which is the Redwood Street watermain replacement project between "B" Street and Lyon Street. The cost for the replacement of this watermain will be assessed to the benefited property owners.
  7. RESOLUTION NUMBER 2180, SECOND SERIES is a resolution Ordering Preparation of Report on Improvement for Project No. 2000-007 which is the construction of watermain improvements on County Road 33 from Hahn Road to T.H. 59. The cost for this improvement will be assessed to the benefited property owners.
  8. RESOLUTION NUMBER 2181, SECOND SERIES is a resolution Ordering Preparation of Report on Improvement for Project No. 2000-008 which is the improvements to Lucille Street between the center line of 4<sup>th</sup> Street and 2<sup>nd</sup> Street including curb and gutter, sidewalk, and watermain replacement. The cost for this improvement will be assessed to the adjacent property owners. Upon completion of this project the street will either be given a chip seal coat or an overlay as part of the yearly maintenance program.
  9. RESOLUTION NUMBER 2182, SECOND SERIES is a resolution Ordering Preparation of Report on Improvement for Project No. 2000-009 which is the Madrid Area Industrial Park improvement project including grading, asphalt surfacing, storm sewer, sanitary sewer, watermain, sidewalk and curb and gutter. The cost for the improvements for this project will be financed by TIF.

**BIDS FOR TRAFFIC CONTROL DEVICE "C" AND MAIN STREETS:**

Stores moved, Reynolds seconded, the bid for the installation of a traffic signal system at "C" and Lyon Street and T.H. 59 project no. 60300 / S.A.P. 139-010-09 be



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awarded to McLaughlin & Schulz, Inc., Marshall, Minnesota in the amount of \$235,169.70. This bid was received by the City of Marshall on December 15, 1999. The bid was reviewed by the Minnesota Department of Transportation and they are in agreement that the contract should be awarded. The cost for this project will be pro-rated according to the agreement with the city share being paid out of the State Aid Account. All voted in favor of the motion.

### **OUT-OF-STATE TRAVEL FOR DIRECTOR OF PUBLIC WORKS:**

Per the request of Keith Nelson, Director of Public Works/City Engineer, Stores moved, Doyle seconded, that Mr. Nelson be authorized to attend the American Planning Association Conference in New York City from April 16 – 19, 2000 in lieu of him attending the American Public Works Association Congress in Louisville, Kentucky in September. All voted in favor of the motion.

### **AUTHORIZATION TO SOLICIT BIDS FOR CITY PICKUPS:**

Edblom moved, Reynolds seconded, that the proper city personnel be authorized to receive bids for the purchase of three 2000 ½ ton two wheel drive pickup trucks for the departments consisting of the Wastewater Treatment Plant, Street Department, and Engineering Department and that an offer be made to trade or to receive a stand alone bid for the disposal of a 1978 Ford ½ ton pickup truck. All voted in favor of the motion.

### **2000 FORESTRY ASSISTANCE MATCHING GRANT AGREEMENT:**

Rowe moved, Doyle seconded, that the proper city personnel be authorized to execute the 2000 Forestry Assistance Matching Grant Agreement with the Minnesota Department of Natural Resources. The intend is to use the proceeds from this grant in the amount of \$2000 for the items included in the 2000 budget for the Fire Department consisting of a new jaws of life or uniforms or radios. All voted in favor of the motion.

### **MMUA SERVICES AGREEMENT:**

Upon the recommendation of the personnel committee, Edblom moved, Reynolds seconded, that the proper city personnel be authorized to execute the Minnesota Municipal Utilities Association Service Agreement to provide the service of a person engaged by MMUA in the capacity of a Regional Safety Coordinator. Under this Services Agreement the Regional Safety Coordinator will plan, organize and/or conduct regular monthly safety meetings at the City, develop and maintain a standard compliance management record keeping and reporting system at the City, and the additional services as outlined in Section 3 of the Services Contract under MMUA obligations. The city's fee for this contract for the year 2000 is calculated at \$13,315 which is proposed to be allocated between the General Fund at \$10,385, Liquor Fund, \$666, and the Wastewater Treatment Facility Fund, \$2,264. By joining in with this agreement, this would put the City of Marshall in a compliance group with the cities of Worthington, Granite Falls, Luverne, Tyler, Adrian and Redwood Falls. All voted in favor of the motion.

**GAMBLING LICENSE RENEWAL – MARSHALL AMATEUR HOCKEY ASSOCIATION:**

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 renewal of the Gambling License for Marshall Amateur Hockey Association for use at the Wooden Nickel, 448 West Main Street, Marshall, Minnesota. All voted in favor of the motion.

**GAMBLING LICENSE RENEWAL – COMMUNITY CHARITIES OF MINNESOTA:**

The Minnesota Gambling Control Board Premises Permit Renewal Application for the year 2000 for the Community Charities of Minnesota was withdrawn from the agenda until such time that a better explanation can be given as to how this permit is used and what the proceeds are use for.

**GAMBLING LICENSE APPLICATION AND LEASE FOR MARSHALL BASEBALL ASSOCIATION:**

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 Premises Permit Application – LG214 for the Marshall Baseball Association to be used at the Pappy's, 1407 East College Drive, Marshall, Minnesota. All voted in favor of the motion.

**AUTHORIZATION TO PURCHASE USED SEMI-TRACTOR FOR WWTF:**

Edblom moved, Doyle seconded, that the proper city personnel be authorized to solicit quotes/bids for the purchase of a used semi-truck for the Wastewater Treatment Plant which would include the trade-in of the 1981 white semi. All voted in favor of the motion.

**AGREEMENT WITH MIDWEST CONTRACTING, LLC – MOTOR GRADER:**

Rowe moved, Reynolds seconded, the proper city personnel be authorized to execute an agreement with Midwest Contracting, LLC for the lease of a motor grader. This lease is for the period December 23, 1999 to April 23, 2000. All voted in favor of the motion.

**JOINT POWERS ANNUAL PLAN AGREEMENT WITH MN/DOT – 4 TIRE DEFLATION DEVICES:**

Doyle moved, Stores seconded, the proper city personnel be authorized to execute the Joint Powers Annual Plan Agreement with the State of Minnesota Department of Public Safety for the purchase of 4 tire deflation devices and that with this agreement the Minnesota Department of Public Safety would provide for the one to one match of \$1,050. The purchase of these tire deflation devices was not included in the 2000 Department of Public Safety Budget, therefore they will make arrangements within their budget to cover the city's share of the \$1,050 for these devices. All voted in favor of the motion.

**MAYOR AND COUNCILMEMBERS REPORTS:**

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

## REGULAR MEETING – JANUARY 18, 2000

- Byrnes      EDA had met on January 18, 2000 and the main item of discussion was the housing project area. A grant was approved for the affordable housing – 32 single family housing owned by the City of Marshall EDA and there would also be a 18 multi-family apartment units for rent in this area.
- Stores      Community Services Advisory Board had met and discussed their current programming and how it is working and they also discussed the success with the intramural programs. They also discussed the research that had been done on other communities on a community center and they would be coming forward with a recommendation at the February 7, 2000 City Council meeting. There was a brief discussion at this time on the no whistle policy for trains passing through the City of Marshall.
- Edblom      Cable Commission did met and will be having an upcoming meeting with Brian Grogen from Moss and Barnett; Planning Commission – City Council had acted on items they had considered; Utilities Commission is meeting at this same time; Ways and Means had no meeting and the Personnel Committee items were acted on by the City Council.
- Doyle      Housing Commission minutes of the January 10<sup>th</sup> meeting were provided to the council members; Convention and Visitors Bureau did met in December.
- Rowe      Library Board the upcoming Friends of the Library Book Sale will be held the second week of March. They have started the book group meetings. Legislative and Ordinance Committee needs to schedule a meeting; and the MERIT meeting will be held on January 20, 2000.
- Reynolds      Hospital Board met on January 18, 2000 and did have a presentation on Phase 4 Design, which is estimated at \$2,000,000.

### COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Councilmembers included: a concern with the house on the North side of the intersection of Hill Street and College Drive which is now being occupied. There was a teacher's workshop at the high school whereby Superintendent Tapper addressed the plan for the schools in the district. The speed limit on highway 23 was addressed. Keith Nelson, Director of Public Works/City Engineer had discussed this with the local and Willmar MN/DOT office. They are reviewing the accident, statistics, speed, the traffic flow and the results of lowering the speed limit in this area. They are projecting to lower the speed limit to 60 mph from highway 59 to County Road 7 and reducing the speed limit to 55 mph from highway 19 to highway 59. Mr. Nelson will be getting a report on the number of accidents in this area, but it continues to be a puzzle as to why there are so many accidents along highway 23 especially at the intersection of highway 23 and county road 7. Councilperson Reynolds is on the Board for Habitat for Humanity and did address some activities of this board. A concern was addressed in regard to information in a

REGULAR MEETING – JANUARY 18, 2000

recent article from the League of Minnesota Cities on TIF Legal Compliance and whether these are being done as part of the city audit. The Y2K insurance was discussed and the concern with the obligation to pay a two-year premium and the potential of the league reviewing this policy and possibly changing their philosophy on the coverage and the premiums that have been paid. In a recent visit by Governor Venture, he did express his interest in the MERIT Center that is being constructed in the City of Marshall. Mike Johnson did indicate to the council that following the retreat of the City Council and City Staff to be held on January 31, 2000 that the pending council agenda items would be updated.

**BILLS/PROJECT PAYMENTS:**

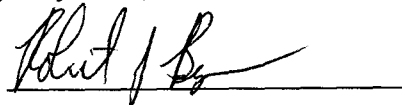
Edblom moved, Reynolds seconded, and it was unanimously approved that the following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 22463 through 22665.

**BUILDING PERMITS:**

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

Geske Building & Supply Co.	612 Kendall Street	Reside Dwelling	\$7,300
Geske Building & Supply Co.	1009 Boxelder Avenue	Install Door	\$900
Randy & Marilyn Hoffmann	402 Donita Avenue	Reside Dwelling	\$3,000
True Value Home Center	605 DeSchepper Street	Basement Remodel	\$15,000
Dulas Construction, Inc.	1601 Halbur Road	Manufacturing Facility Addition	\$223,600
French Construction	108 South High Street	Remodel Roof	\$2,400
Ace Signs of Albert Lea	1113 East College Drive	Install Sign	\$3,600
Elwood Miller	200 South 11th Street	Storage Addition	\$3,000

Upon motion made by Edblom, seconded by Reynolds,



Mayor of the City of Marshall

ATTEST:



Finance Director/City Clerk

## SPECIAL MEETING/WORKSHOP JANUARY 24, 2000

A special meeting/workshop of the Common Council was held on January 24, 2000 in the Board Room at the Marshall Municipal Utilities. The meeting was called to order at 5:40 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Doyle, Rowe, Edblom, Reynolds, Boedigheimer and Stores. Absent: none. Staff in attendance at the meeting included: Michael Johnson, City Administrator; Keith Nelson, Director of Public Works/City Engineer; Harry Weilage, Director of Community Services; Calvin Barnett, Director of General Services; Jane DeVries, Deputy City Clerk. Rob Yant, Director of Public Safety and Brian Murphy, City Attorney arrived late.

Mayor Byrnes additional items to be discussed that were not included in the packet. These items addressed included: Habitat for Humanity; speed limit on Hwy 23 by-pass; High School student becoming involved on a City Board or Commission; the Railroad Crossing issue.

The speed limit on Highway 23 by-pass was discussed. Rob Yant, Director of Public Safety, indicated that the speed limit is currently set at 65 mph. The Minnesota Department of Transportation will provide the council with a written response to a request to go from 65 mph to 60 mph. It was suggested that someone from MN/DOT attend a City Council meeting to discuss this issue.

The Railroad Crossing issue was discussed. There was a concern about not blowing the whistle during late hours and if there were any state or federal issues to be considered.

It was suggested that high school students become more involved in the City Government by being a non-voting member on a board or commission. There was a concern if high school students had the time to become a member of a board or commission or if it would be better for them to attend a few meetings and not have to be a member.

Community Issues and Projects consist of:

### **Community Center.**

### **Housing Developments:**

The proposed housing project will provide for 32 single family homes and Parkway town homes will consist of 18 units in each. The lots being developed for this project will be available for sale to anyone wishing to build a home including Habitat for Humanity. This area will also include a neighborhood park.

### **Downtown Redevelopment:**

Property Acquisitions are in progress for the following pieces of property: Taylor Lumber, Breyfogle Auto Sales, Hauge Egg Company and the Marshall Lab property. It was indicated that on February 20, 2000 the post office will be soliciting site or building proposals.

## SPECIAL MEETING/WORKSHOP JANUARY 24, 2000

Downtown Park – the Design Group is working on the plans. It was indicated that Schwans is interested in developing part of their land as part of this park area and funding what the LAWCON Grant of \$125,000 does not cover in exchange for the naming rites to this park.

Small Cities Grant – should be used for historic preservation and making the downtown area pedestrian friendly.

### **Community Center:**

The space needs of the Community Center needs to be worked on and a decision of what should or should not be included in the Community Center.

A 5-minute recess was taken at this time.

### **MERIT:**

Plans are being finalized for the Apparatus building and hopefully this will be bid sometime in February. Approximately 1.28 million dollars needs to be matched by private contributions to assist with the financing of this project.

### **Wastewater Improvements:**

Plans are being prepared for the Sludge Storage and Effluent Filters.

### **Future Public Golf Course Development:**

Harry Weilage, Director of Community Services, informed the council that the Tiger Woods Foundation is providing funds to help youth and disadvantaged people. Harry indicated that the city has been selected as one of the recipients and that this money could be used to a 9 hole golf course on the land that is currently owned by the City of Marshall out by the college.

### **Cable TV Franchise Renewal:**

Brian Grogan will be reviewing with the council the steps that need to be taken in the Cable TV Franchise Renewal process.

### **Organization Activities:**

Department reorganization continues to be discussed.

Other items discussed were: having a retreat in May or June; using a consent agenda; changing the council meeting times; including a citizen concern portion at the beginning of the council meetings.

Brian Murphy, City Attorney, took this opportunity to express his views. He was concerned that the city is taking on too many projects and may not have the time or the manpower to complete these projects. He suggested that the city look at getting additional professional help if needed.

It was also suggested that the city consider adding a Planning Position.

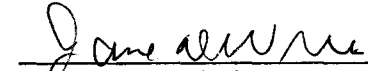
SPECIAL MEETING/WORKSHOP JANUARY 24, 2000

The meeting/workshop was adjourned at 8:35 P.M.

A handwritten signature in dark ink, appearing to read "Robert J. B.", is written over a horizontal line.

Mayor of the City of Marshall

ATTEST:

A handwritten signature in dark ink, appearing to read "Jane Allen", is written over a horizontal line.  
Deputy City Clerk

## **SPECIAL MEETING - JANUARY 31, 2000**

The Special meeting of the Common Council of the City of Marshall was held on January 31, 2000 with the Weiner Memorial Medical Center Hospital Board at the Medical Center. The meeting was called to order at 5:30 P.M. by Mayor Pro Tem Stores. In addition to Stores, the following members were present: Rowe, Edblom, Reynolds, Boedigheimer and Doyle. Absent: Mayor Byrnes. Staff present included: City Administrator Michael Johnson. The entire Hospital Board and members of the Hospital staff were also in attendance as reflected in the minutes of the Weiner Memorial Medical Center Board of Directors.

### **THE TWO BOARDS AND THEIR STAFFS HAD DINNER IN THE DINING ROOM ADJACENT TO THE HOSPITAL CAFETERIA.**

#### **TOUR OF THE HOSPITAL:**

The Hospital staff provided members of the City Council with a tour of the Hospital improvements and changes that have been occurring over recent years.

#### **RESULTS OF 1999 WMMC AUDIT:**

Mr. Dan Vandenberghe of McGladrey and Pullen provided both the City Council and the WMMC Board of Directors with an overview of the 1999 audit. Copies of the audit had been provided to all members present and a 45-minute overview was provided to those in attendance. In addition to the audit presentation, Mr. Vandenberghe also discussed with the two entities the differences and the dual status between a 501C3 non-profit corporation and a tax-exempt corporation. He indicated that there could be various issues in the future that could result in review and scrutiny from the IRS, but nothing that is serious at this point in time.

#### **PHASE IV REMODELING PROJECT:**

Kevin Schroeder of the Hospital staff provided those in attendance with an overview of Phases I, II, III, and IV, which is estimated to be bid later this spring or early summer.

#### **CAPITAL EXPENDITURE APPROVAL LIMIT:**

Hospital Administrator Slieter indicated that the Hospital Board and staff were interested in having the City Council consider increasing the capital expenditure approval limit. Currently it is \$25,000 and they are seeking the possibility of increasing that level to \$100,000. Councilmember Ted Rowe suggested that this matter be referred to the City Council Legislative and Ordinance Committee for further review and recommendation.

#### **MEDICAL CLINIC AT THE MALL:**

Hospital Administrator Slieter provided the Council with a brief overview of the family practice and pediatrics portion of the medical clinic and indicated that they will be moving to the Mall sometime in September 2000. Mr. Slieter also provided an overview and a status update of the physician recruitment that is occurring.



SPECIAL MEETING - JANUARY 31, 2000

**SIOUX VALLEY HOSPITAL AND HEALTH SYSTEM:**

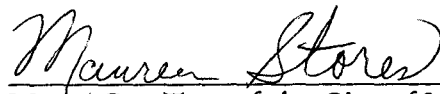
Hospital Administrator Slieter provided the Council and Hospital Board with an update on the recent meetings with Sioux Valley. He indicated that although there are ongoing discussions there has been no recent progress in these talks. He indicated that the issue at hand relates to an access issue but that the Hospital Board is firm at this point of not providing any type of financial assistance that would provide an advantage for one clinic over another. He indicated that he would keep everyone apprised as to future discussions with Sioux Valley.

**GENERAL ISSUES OF CONCERN:**

There was general discussion on the size and makeup of the Board and the abilities to recruit new members in the future. The demands on the position have been greater than what was generally expected and the issue of whether Board members could reside outside the corporate limits of the City was discussed. There was also general interaction on the discussion of the City's Community Center Project and the interaction between the Hospital Board and the inclusion of a wellness-fitness component in this new facility. The Hospital Administrator indicated a willingness to have the Hospital personnel involved to whatever degree that would be beneficial to the City.

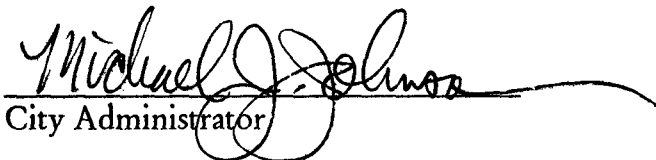
Mayor Pro Tem Stores thanked the Hospital Administrator and the Hospital Board members for inviting the City Council to partake in dinner, a tour of the Hospital and for the general discussion on the issues impacting the Hospital operations. She expressed the Council's deep appreciation for the hard work and efforts exhibited by the Board members and the great job that has been done by the staff of the Weiner Memorial Medical Center.

The special meeting of the City Council was adjourned at 8:35 P.M.



Mayor Pro Tem of the City of Marshall

ATTEST:

  
City Administrator

## REGULAR MEETING – FEBRUARY 7, 2000

The regular meeting of the Common Council of the City of Marshall was held on February 7, 2000 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, Edblom, Reynolds, Boedigheimer and Stores. Absent: Doyle. Staff present included: Mike Johnson, City Administrator; Brian Murphy, City Attorney; Thomas M. Meulebroeck, Finance Director/City Clerk; Rob Yant, Director of Public Safety; and Harry Weilage, Director of Community Services.

The Pledge of Allegiance was recited at this time.

### **APPROVAL OF AGENDA:**

It was the general consensus of the council that the agenda be approved with the addition of a discussion on the tax court case involving Heartland Foods who is challenging their estimated market value for 1998 payable 1999.

### **APPROVAL OF THE MINUTES:**

Reynolds moved, Stores seconded, that the minutes of the regular meeting held on January 18, 2000, the special meetings held on January 24, 2000 and January 31, 2000 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:**

A bid was received on January 20, 2000 for a one-(1) high capacity 4-wheel drive turf mower replacement for the Parks Department. The bid received, opened and read was from North Star Turf Supply, Sioux Falls, South Dakota in the amount of \$30,885.00. Reynolds moved, Stores seconded, the bid for the turf mower replacement for the Parks Department be awarded to North Star Turf Supply, Sioux Falls, South Dakota in the amount of \$30,885. All voted in favor of the motion.

### **PUBLIC HEARING:**

There was the date and time set for a public hearing to consider the issuance of revenue bonds by the City of Brainerd under Minnesota Statutes, Sections 469.152 through 469.165, as amended, to finance property for the benefit of Lutheran Social Service of Minnesota. The proposed bonds that are to be issued will be used to purchase real property, motor vehicles, and computer equipment. In accordance with the Minnesota Statutes 469.155, Subdivision 9, (1998) upon approval of the respective City Councils where Lutheran Social Services is located they may be able to obtain tax exempt financing from the City of Brainerd to finance capital purchases that will benefit Lutheran Social Service facilities located in Brainerd and other cities throughout the State of Minnesota. It is anticipated that a portion of the funding will be used to benefit Lutheran Social Services of Minnesota here in Marshall to the tune of \$19,300 for the purchase of a vehicle. The anticipated maximum aggregate principal amount of the proposed bond issue for the City of Brainerd will be \$1,800,000. The notes will not be considered obligations of the City of Brainerd nor the City of Marshall. Rowe moved, Reynolds seconded, that the public hearing be closed. All voted in favor of the motion.

Rowe moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2183, SECOND SERIES and that the reading of the same be waived. Resolution Number 2183, Second Series is a resolution approving and authorizing the issuance of revenue notes by the City of Brainerd under Minnesota Statutes, Sections 469.152 through 469.165, as amended, to finance property for the benefit of Lutheran Social Service of Minnesota. All voted in favor of the motion.

**IMPROVEMENT PROJECTS:**

Keith Nelson, Director of Public Works/City Engineer, reviewed with the council the improvements to be done as a part of project no. 2000-003. The improvements included in project no. 2000-003 are grading, asphalt surfacing, curb and gutter, storm sewer, sanitary sewer and water improvements on Genesis Avenue from County Road 67 to Scott Street in Chad's Addition (formerly Ted Olsen's 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> Additions). Rowe moved, Boedigheimer seconded, the adoption of RESOLUTION NUMBER 2184, SECOND SERIES and that the reading of the same be waived. Resolution Number 2184, Second Series is a resolution Receiving Report and Calling for a Hearing on the Improvement, Project 2000-003. The public hearing for this project will be held on February 22, 2000 at 7:30 P.M. All voted in favor of the motion.

Keith Nelson, Director of Public Works/City Engineer, reviewed with the council project no. 2000-004. Project no. 2000-004 includes the improvements of watermain, sanitary sewer, storm sewer and street construction for Wilke-Miller-Buesing Subdivision First Addition. Boedigheimer moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2185, SECOND SERIES and that the reading of the same be waived. Resolution Number 2185, Second Series is a resolution Receiving Report and Ordering Improvement and Preparation of Plans. A petition was received from all benefited property owners who signed an agreement of assessment and waived the appeal. All voted in favor of the motion.

Keith Nelson, Director of Public Works/City Engineer, reviewed with the council project no. 2000-008. Project no. 2000-008 includes the improvements to Lucille Street between the center line of 4<sup>th</sup> Street and 2<sup>nd</sup> Street including curb and gutter, sidewalk, and watermain replacement. Stores moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2186, SECOND SERIES and that the reading of the same be waived. Resolution Number 2186, Second Series is a resolution Receiving Report and Calling for a Hearing on Improvement Project no. 2000-008. The hearing was set for February 22, 2000 at 7:30 P.M. All voted in favor of the motion.

**PURCHASE SEMI-TRACTOR FOR WASTEWATER TREATMENT FACILITIES:**

At the January 18, 2000 City Council meeting authorization was granted to the proper city personnel to solicit quotes/bids for the purchase of a used semi-truck for the Wastewater Treatment Facility. The quotations that were received were as follows:

<u>Dealer</u>	<u>Price w/o tax included</u>	<u>Year/Make</u>	<u>Mileage</u>
Olson & Johnson International	\$22,500	'94 Ford	242,000 miles
Boyer Sterling Trucks	\$21,900	'93 Freightliner	182,997 miles
Boyer Sterling Trucks	\$24,900	'93 Kenworth	318,271 miles
RDO	\$29,999.99	'95 Volvo	262,000 miles

Keith Nelson, Director of Public Works/City Engineer, reviewed the quotations with the City Council. Mr. Nelson was recommending the quotation be awarded to Olson & Johnson International, Marshall, Minnesota in the amount of \$22,500. Mr. Nelson indicated that the reason for awarding the bid to Olson & Johnson Trucking was not only that they were a local vendor, but also due to the advantage of having a local vendor to provide the service on the vehicle and that the vehicle that was bid from Olson & Johnson International also included an air ride suspension which was a feature of about \$2,000. Boedigheimer moved, Stores seconded, the quotation for a semi-truck for the Wastewater Treatment Facility be awarded to Olson & Johnson International, Marshall, Minnesota in the amount of \$22,500. All voted in favor of the motion.

**AUTHORIZATION TO BID TWO POLICE SQUAD UNITS:**

Director of Public Safety Rob Yant, reviewed with the council the rotation and purchase projection of vehicles within the Department of Public Safety. Mr. Yant indicated that there is only one full size rear drive vehicle that is made in the Police package and that is the Crown Victoria and that there is only one 4x4 police package and that is the Jeep Cherokee. As requested by the Director of Public Safety Rob Yant, Boedigheimer moved, Stores seconded, that authorization be given to the Marshall Police Department to receive bids on a Ford Crown Victoria (Interceptor) and a Daimler Chrysler Jeep Cherokee. This authorization was given with the understanding that maintenance records will be maintained on all vehicles purchased within the Department of Public Safety. All voted in favor of the motion.

**LABOR AGREEMENT**

Per the recommendation of the Personnel Committee Edblom moved, Reynolds seconded, the proper City Personnel be authorized to execute a labor agreement between the City of Marshall and Law Enforcement Labor Services for Police supervisors for the period 1998 through 2000. This agreement provides for wage adjustments of 2 ¼% in 1998; 3% in 1999 and 3% in 2000. All voted in favor of the motion.

**FARM LEASE – PAUL DEUTZ:**

A discussion was held at this time on a farm lease between the City of Marshall and Paul Deutz. This lease was for a one-year period of time at a rate of \$450 for approximately 14 acres of land. The council discussed the possibility of incorporating in the agreement a provision for the City to survey the property in the year 2000 and that also that a provision be included in the agreement that addresses chemical residual. It was the general consensus of the City Council that the consideration of the farm lease agreement between the City of Marshall and Paul Deutz be tabled until such time Brian has an opportunity to review the concerns of the City Council with Mr. Deutz.

**COMMUNITY CENTER:**

A discussion was held at this time in regard to the survey information that was gathered on a potential Community Center. Per the request of Harry Weilage, Director of Community Services, Boedigheimer moved, Stores seconded, that the proper city staff be authorized to prepare a RFP (request for proposals) that covers the following seven points for a bid:

1. Interview four employee focus groups between the ages of 18 and 35 to be consistent with the survey on the question of recruiting and retaining families.
2. Interview identified stake holders/potential funders to the specifics as to what they need to grow in our community.
3. Research best case scenario for probability of self-sustaining or supporting facility.
4. Under the assumption of a \$10 million facility, prepare conceptual layout defining usage.
5. Identify 3 similar existing sites that fit our community's profile for physical inspection.
6. Propose a time-line for design and construction.
7. Provide staff hourly fee with a ceiling price not to be exceeded.

All voted in favor of the motion.

**SETTING LOCAL BOARD OF REVIEW DATE:**

Rowe moved, Stores seconded, the Marshall Local Board of Review for 2000 be scheduled for April 17, 2000 at 6:00 P.M. All voted in favor of the motion.

**GAMBLING LICENSE – SOUTHWEST GREAT DIVIDE ROCKY MOUNTAIN ELK FOUNDATION:**

Rowe 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 Southwest Great Divide Rocky Mountain Elk Foundation for a raffle to be held at the Best Western/Marshall Inn on April 1, 2000 and that the 30 day waiting period be waived. All voted in favor of the motion.

**BEER LICENSE – DAILY GRIND:**

Stores moved, Edblom seconded, an on-sale beer license be granted to the Daily Grind for the year 2000. The fee for this license is \$150. All voted in favor of the motion.

**TEMPORARY ON-SALE LIQUOR LICENSE – CHAMBER OF COMMERCE:**

Stores moved, Reynolds seconded, that a temporary on-sale liquor license be granted to the Marshall Area Chamber of Commerce for their annual banquet to be held on February 21, 2000 at the Student Center West Facility at Southwest State University. The fee for this license is \$25.00. All voted in favor of the motion.

**GAMBLING LICENSE – COMMUNITY CHARITIES OF MINNESOTA:**

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 Community Charities of Minnesota for use at the Marshall Bowl, 1417 East College Drive, Marshall, Minnesota. All voted in favor of the motion.

**HEARTLAND FOODS TAX APPEAL:**

A discussion was held at this time in regard to Heartland Foods tax appeal. Heartland Foods has filed with the Minnesota Tax Court a petition for review of their real estate taxes payable in 1999. The Assessor's estimated market value for the 1998 assessment was \$2,461,100. The appraised value computed by the Heartland Foods Appraiser, Steven DeCaster, M.A.I. Appraisal Alliance Inc., is in the amount of \$1,275,000. Based on the current assessment and Heartland Foods appraisal there is a potential loss of 49% of real estate taxes. Boedigheimer moved, Edblom seconded, the proper city personnel be authorized to proceed with the engaging of an attorney and an appraiser to formulate defense for the City of Marshall in regard to the Heartland Foods tax appeal. All voted in favor of the motion.

Boedigheimer moved, Edblom seconded, that the proper city personnel initiate correspondence with Independent School District 413 and Lyon County to get their participation in the Heartland Foods tax appeal. All voted in favor of the motion.

**MAYOR AND COUNCILMEMBERS REPORTS:**

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

Byrnes            No reports.

Stores            Community Services Advisory Board met last week and did spend time on discussing the process for moving forward on a community center. They are planning a strategic planning meeting for April or May of 2000. They discussed the possibility of soccer being a viable program. The activities at the ice arena have been high this past season,

## REGULAR MEETING – FEBRUARY 7, 2000

the registration for spring and summer activities will be done differently this year and they are pursuing legislation for after school programs.

Edblom      Cable Commission, Planning Commission and the Utilities Commission meetings will be in the near future.

Boedigheimer No reports.

Rowe      MERIT Committee did meet last week – the main item discussed at this meeting was the status of the apparatus storage/maintenance building. The building committee will be meeting on February 9, 2000.

Reynolds      No report.

### **COUNCILPERSON INDIVIDUAL ITEMS:**

Other items of concern brought forth by the Mayor and Councilmembers included: Councilperson Stores indicated that she has been appointed to a school facilities committee which is an internal staff group which will be meeting every week in February to determine an action plan in looking all school facilities. The Minnesota Department of Human Rights will be holding a Regional Meeting on March 25, 2000 and a concern was expressed with the City Council liaison member and one member from the commission attending this meeting. It was also suggested that a request be made to the Department of Human Rights to hold a Regional meeting in Marshall. The radar screen, consent agenda, planning assistance, potential golf course and a request of the Minnesota Department of Transportation to have an individual to attend the City Council meeting to discuss transportation plan and the speed limit on Highway 23 adjacent to the City of Marshall was addressed. Mayor Byrnes and two representatives from the Marshall Municipal Utilities attended the American Public Works Conference in Washington. The League of Minnesota Cities Bulletin addresses the All American City Award and the council did discuss the potential of submitting an application. It was indicated that it is a lengthy process and that this could potentially be considered for the year 2001 and that there is a \$500 application fee. The Joint City Council/Hospital Board had met on January 31, 2000 where the audit of the hospital was reviewed. The size of the hospital board and the make up of the hospital board were addressed and also a request was made to consider raising the dollar limit of the hospital purchases without receiving the city approval.

### **BILLS/PROJECT PAYMENTS:**

Edblom moved, Reynolds seconded, and it was unanimously approved that the following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 22666 through 22869.

### **BUILDING PERMITS:**

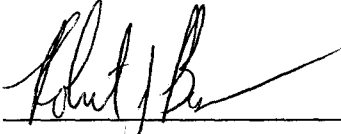
The following building permits previously approved by the Building Official were confirmed.

LMP Properties	423 West Main Street	Remodel	\$1,000
Steve Tutt Construction	1100 Indiana Jones Avenue	Basement Remodel	\$6,500
Brian & Tammy Coudron	602 Kossuth Avenue	Remodel Basement	\$300
Bisbee Plumbing & Heating	1501 State Street / SSU	Social Science Building - HVAC Remodeling	\$466,000

REGULAR MEETING – FEBRUARY 7, 2000

B H Electronics Inc.	604 Michigan Road	Storage Building	\$4,000
Mark & Jean Mather	503 Central Avenue	Basement Remodel	\$1,500
Dennis Lozinski	508 East Main Street	Reside Dwelling	\$4,000

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

  
\_\_\_\_\_  
Mayor of the City of Marshall

ATTEST:

  
\_\_\_\_\_  
Financial Director/City Clerk

## REGULAR MEETING – FEBRUARY 22, 2000

The regular meeting of the Common Council of the City of Marshall was held on February 22, 2000 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: Mike Johnson, City Administrator; Keith Nelson, Director of Public Works/City Engineer; Dave Marks, Fire Chief; Jane DeVries, Deputy City Clerk; Brian Murphy, City Attorney arrived late; and Harry Weilage, Director of Community Services arrived late.

The Pledge of Allegiance was recited at this time.

### **APPROVAL OF AGENDA:**

It was the general consensus of the council that the agenda be approved as presented. All voted in favor of the motion.

### **APPROVAL OF THE MINUTES:**

Reynolds moved, Stores seconded, that the minutes of the regular meeting held on February 7, 2000 be approved as filed with member and that the reading of the same be waived.

### **PUBLIC HEARING - PROJECT 2000-003 GENESIS AVENUE:**

This was the date and time set for a public hearing for Project No. 2000-003, Genesis Avenue improvement. Keith Nelson, Director of Public Works/City Engineer, reviewed this project with the council and others in attendance at the meeting. He indicated that this project would include grading, asphalt surfacing, curb and gutter, storm sewer, sanitary sewer and watermain on Genesis Avenue from County Road 67 to Scott Street, including Scott Street. A petition was received from more than 35% of the property owners in this area. Boedigheimer questioned sidewalks on both sides. Keith Nelson indicated that this is a requirement of the subdivision and he also indicated that the curb and gutter in this area would be the drive over type. A concern was expressed if curb and gutter is necessary. Mr. Nelson indicated that when a road is completed that curb and gutter needs to be installed. Dolly Olson, Scott Street, was concerned about the portion of Scott Street that was not platted and the potential cost to them as owners of a corner lot. It was indicated that if the rest of the addition is developed that they would like to see Scott Street be extended. Mr. Nelson informed Ms. Olson that assessments for corner lots could be reduced. Rowe moved, Doyle seconded, that the public hearing be closed. All voted in favor of the motion.

Doyle moved, Rowe seconded, the adoption of RESOLUTION NUMBER 2187, SECOND SERIES and that the reading of the same be waived. Resolution Number 2187, Second Series is a resolution Ordering Improvement and Preparation of Plans for Project No. 2000-003, Genesis Avenue. All voted in favor of the motion.

### **PUBLIC HEARING – PROJECT NO. 2000-008 LUCILLE STREET:**

This was the date and time set for a public hearing for Project No. 2000-008, Lucille Street improvement. Keith Nelson, Director of Public Works/City Engineer, reviewed this project with the council and others in attendance at the meeting. He indicated that this project would include curb and gutter, sidewalk and watermain replacement on Lucille Street from the centerline of 4<sup>th</sup> Street to the centerline of 2<sup>nd</sup> Street. It was indicated that the watermain would be replaced with this project rather than waiting a few years and having to dig up this area again. Stores moved, Rowe seconded, the public hearing be closed. All voted in favor of the motion.



## REGULAR MEETING – FEBRUARY 22, 2000

Boedigheimer moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2188, SECOND SERIES and that the reading of the same be waived. Resolution Number 2188, Second Series is a resolution Ordering Improvement and Preparation of Plans for Project No. 2000-008, Lucille Street. All voted in favor of the motion.

### **RECEIVE REPORT AND CALL FOR HEARING - PROJECT NO. 2000-005 SOUTHVIEW DRIVE:**

Boedigheimer moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2189, SECOND SERIES and that the reading of the same be waived. Resolution Number 2189, Second Series is a resolution Receiving Report and Call for Hearing on Improvement. This is for Project 2000-005, which is watermain replacement on Southview Drive between 2<sup>nd</sup> Street and 4<sup>th</sup> Street. The public hearing will be held at 7:30 P.M. on Monday, March 6, 2000. All voted in favor of the motion.

### **RECEIVE REPORT AND CALL FOR HEARING - PROJECT NO. 2000-006 REDWOOD STREET:**

Edblom moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2190, SECOND SERIES and that the reading of the same be waived. Resolution Number 2190, Second Series is a resolution Receiving Report and Call for Hearing on Improvement. This is for Project 2000-006, which is watermain replacement on Redwood Street between "B" Street to Lyon Street. The public hearing will be held at 7:30 P.M. on Monday, March 6, 2000. All voted in favor of the motion.

### **RECEIVE REPORT AND CALL FOR HEARING - PROJECT NO. 2000-007 COUNTY ROAD 33:**

Rowe moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2191, SECOND SERIES and that the reading of the same be waived. Resolution Number 2191, Second Series is a resolution Receiving Report and Call for Hearing on Improvement. This is for Project 2000-007, which is watermain replacement on County Road 33 from Hahn Road to T.H. 59. The public hearing will be held at 7:30 P.M. on Monday, March 6, 2000. All voted in favor of the motion.

### **T.H. 23 SPEED LIMIT DETERMINATION:**

At this time Jon Henslin, MN/DOT Traffic Engineer, was in attendance at the meeting to review the investigation related to the posted traffic speeds for T.H. at Marshall. Mr. Henslin indicated that speed limits are set by Minnesota Statute 169.14 but that MN/DOT can change a speed limit based on their investigation. Mr. Henslin is recommending that the speed limit on T.H. 23 between County Road 7 and Saratoga Street be reduced to 60 MPH.

### **AUTHORIZATION TO SOLICIT BIDS FOR M.E.R.I.T. PROJECT:**

Tom Osterberg, Group II Architects. Was in attendance at the meeting and provided an overview on the M.E.R.I.T. Apparatus Storage/Maintenance Building. Mr. Osterberg presented a bid proposal that did not include a prevailing wage allowance. It was indicated that a prevailing wage will be a requirement because of the use of state funds. Under state prevailing wage guidelines, contractors might be required to pay higher wages, which could drive up the cost of construction. One other item that could affect the cost of the project is the fee for the building permit. Stores moved, Doyle seconded, that the proper city officials be authorized to advertise for bids for the M.E.R.I.T. Apparatus Storage/Maintenance Building. All voted in favor of the motion. Rowe moved, Doyle seconded, that the contract with Group II Architects be increased by \$2,000. All voted in favor of the motion.

**MATCHING FUNDS FOR RIVER FRONT TRAIL:**

Harry Weilage, Director of Community Services, was in attendance at the meeting to request permission to apply for a Regional Trail Grant Funds. Mr. Weilage indicated that it is their intent to acquire and develop a river front trail system from Liberty Park to American Legion Field. The city's share would be 50% of the total grant. Stores moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2192, SECOND SERIES and that the reading of the same be waived. Resolution Number 2192, Second Series is a Resolution to Apply for Regional Trail Grant Funds. All voted in favor of the motion.

**SUPPORT FOR REVENUE FOR YOUTH PROGRAMS IN COMMUNITY EDUCATION:**

Harry Weilage, Director of Community Services, was in attendance at the meeting to request support for Revenue for Youth Programs in Community Education. Doyle moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2193, SECOND SERIES and that the reading of the same be waived. Resolution Number 2193, Second Series is a resolution Favoring Authorization of Revenue for Youth Programs in Community Education. This resolution shows that the Marshall City Council supports the introduction and passage of state legislation that would authorize, but not mandate, school districts to raise funds locally and to receive funds from the state for youth programs in community education. All voted in favor of the motion.

**LEGISLATIVE AND ORDINANCE COMMITTEE REPORT – INTRODUCTION OF ORDINANCES:**

Per the recommendation of the Legislative and Ordinance Committee, Rowe moved, Doyle seconded, and it was unanimously approved that the following ordinances be introduced:

1. An ordinance providing for traffic control signage;
2. An ordinance amending City Code Establishing Qualifications to serve on the Boards and Commissions; and
3. An ordinance amending Code pertaining to the Hospital Board for Regulating the Contracting Authority.

A 5-minute recess was taken at 8:55 P.M. at which time Mayor Byrnes left town on business. The meeting was reconvened at 9:01 P.M. by President Pro-tem Stores.

**WAYS AND MEANS COMMITTEE RECOMMENDATIONS:**

Edblom moved, Rowe seconded, the approval of the proposal from Springsted for the Wastewater rate review and projection study. The cost for this is not to exceed \$7,920.00. All voted in favor of the motion.

Edblom moved, Doyle seconded, that the City of Marshall pay \$821.50 to the Chamber for their share of the Go for the Glow. This payment will conclude the Go for the Glow campaign. All voted in favor of the motion.

Boedigheimer moved, Rowe seconded, that the four division heads and City Administrator be paid a fixed amount of \$40.00 per month for the use of the cellular phone and any costs above that would be the employee's cost. It was also approved that they be in the same program and that they use the pooling feature. All voted in favor of the motion.

**LARSON, ALLEN, WEISHAIR & CO., LLP – AUDITING SERVICES:**

Rowe moved, Edblom seconded, the proper city personnel be authorized to execute the engagement letter with Larson, Allen, Weishair & Co., LLP for auditing services for the year ending 12/31/99. Councilperson Boedigheimer indicated that this audit should include the fixed assets. This is the 5<sup>th</sup> year of a 3-year contract with a 3-year renewal option. All voted in favor of the motion.

**CALL FOR HEARING – ON-SALE LIQUOR LICENSE FOR EAGLES CLUB:**

Rowe moved, Edblom seconded, that a public hearing be held at 7:30 P.M. on Monday, March 6, 2000 for a new on-sale intoxicating liquor license for the Fraternal Order of Eagles #3405, 423 West Main Street. Rowe requested that the questionnaire required of all new applicants for a liquor license be completed and provided at the public hearing. All voted in favor of the motion.

**PLUMBERS LICENSE – COUNTRY SIDE PLUMBING:**

Edblom moved, Doyle seconded, the approval of a plumbers license for Robert VanderLinden, DBA Country Side Plumbing, Redwood Falls, Minnesota be approved for the period February 23, 2000 through March 31, 2000. The fee for this license is \$50.00. All voted in favor of the motion.

**GAMBLING LICENSE – MAHA:**

Edblom 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 a Gambling License for Marshall Amateur Hockey Association for use at Best Western/Marshall Inn (Shay's), 1500 East College Drive, Marshall, Minnesota. All voted in favor of the motion.

**PARADE PERMIT – ST. PATRICK'S DAY:**

Rowe moved, Doyle seconded, the approval of a Parade Permit on March 17, 2000 for the 4<sup>th</sup> Annual St. Patrick's Day Parade. This parade will start at 5:30 P.M. and will last approximately 40 minutes. The parade will start on Marvin Schwan Memorial Drive, turn onto Main Street at Casey's corner and then proceed to the corner of Main and Fifth Street. All voted in favor of the motion.

**OUT OF STATE TRAVEL – FIRE DEPARTMENT:**

Per the request of Fire Chief Dave Marks this item was removed from the agenda.

**MAYOR AND COUNCILMEMBERS REPORTS:**

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

Byrnes            No report.

Stores            No report.

Edblom            Cable Commission and City Council will hold a special meeting on February 28, 2000 to discuss the cable franchise; Planning Commission did not have a meeting; Utilities Commission met last week and discussed the water issue; the Ways and Means Committee items were previously discussed; Personnel Committee has not met.

## REGULAR MEETING – FEBRUARY 22, 2000

- Boedigheimer Airport Commission minutes of the December 13, 1999 and February 14, 2000 are included in the agenda packet; Senior Citizen Center Commission met last Wednesday and discussed the replacement of the furnace; Lyon County Enterprise has not met.
- Doyle Housing Commission minutes are included in the agenda packet; Human Rights Commission meets next week; Convention and Visitors Bureau minutes from the December meeting are included in the agenda packet.
- Rowe Insurance Advisory Committee and Library Board minutes are included in the agenda packet; Legislative and Ordinance Committee indicated that the codification is still being reviewed, the size of the Hospital Board was discussed, the parking ordinance was reviewed and there was no action on the request for a consent agenda; and it was indicated that the compliance check on tobacco license will be conducted on a more timely manner; MERIT Committee will meet on Thursday.
- Reynolds Hospital Board did not have a quorum.

### COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Councilmembers included: Human Rights held a training; the Public Safety and Public Works Department need to review the parking on Bruce Street once the Affiliated Medical Center has moved to the mall; Mike's evaluation needs to be completed; there is still a concern about the number of accidents at the intersection of T.H. 23 and County Road 7 and they hope the reduction of the speed limit helps; The Transit Committee is working on increasing ridership; a request was made to receive a report in 6 to 12 months of the number of accidents at T.H. 23 and County Road 7; the repair of the downtown sidewalks will be done by city staff; there will be a joint meeting with the school board on Monday, March 13, 2000 at 5:30 P.M.; the PERA contributions maybe increased for both employee and employer; the annexation of William Brothers property is being considered; there will be a meeting with Ed Cain on the Sales Tax Exemption Bill for the MERIT Center. It was indicated that some of the downtown businesses are interested in repairing their sidewalks before the City staff has time to do this. This was referred to the Public Improvement Committee for discussion.

### 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. 22870 through 23094.

### BUILDING PERMITS:

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

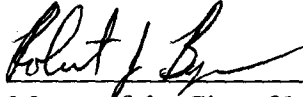
Greig & Gregerson	1303 Birch Street	Reside	\$14,000
Marie Dorschner	1006 Boxelder Avenue	Install Window	\$300
Mark & Susan Jorgensen	110 Gray Place	Bathroom Remodel	\$1,000
Scenic Sign Corporation	1113 East College Drive	Install Sign	\$5,000
Lyon County	105 South 6th Street	Demolish Two-Family Dwelling	\$0
Todd & Theresa Lendt	408 West Southview Drive	Basement Remodel	\$7,000
Tracy Cummings	313 North Highway 59	Remodel Repair Shop	\$12,000


REGULAR MEETING – FEBRUARY 22, 2000

Leslie Fawcett	301 West James Avenue	Reside Dwelling	\$6,000
True Value Home Center	902 Columbine Drive	Reside Dwelling	\$7,500

Mike Johnson, City Administrator, informed the council that a staff member recently attended a meeting and accepted a grant in the amount of \$1,395,900 on behalf of the City.

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

  
\_\_\_\_\_  
Mayor of the City of Marshall

  
\_\_\_\_\_  
President Pro-Tem

ATTEST:

  
\_\_\_\_\_  
Financial Director/City Clerk

## SPECIAL MEETING – FEBRUARY 28, 2000

A special City Council/Cable Commission meeting was held on February 28, 2000 in the Board Room of the Marshall Municipal Utilities. The meeting was called to order at 6:00 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Edblom, Boedigheimer, Rowe and Reynolds. Absent: Stores and Doyle. Cable Commission members present included: Robin Chaney, Andy Hedlin, and Peg Klien. Staff present were: Michael Johnson, City Administrator; Harry Weilage, Director of Community Services; Teri McCausland, Cable Coordinator; Julie Enga, Cable employee; and Jane DeVries, Deputy City Clerk. Others in attendance included Mary Larson, from Charter Communications Holding Company; Pat Mastel and Tom Wilson from McLeod USA, Inc.; and Brian Grogan from Moss & Barnett.

The purpose of this meeting was to review the franchise renewal process. The current Cable Television Franchise will expire on January 1, 2002. Mr. Grogan, attorney with Moss & Barnett, was in attendance at the meeting to review with the council, cable commission, staff and others the franchise renewal process. Mr. Grogan briefly reviewed the following:

### Franchise Renewal Process

- Governed by federal law

- Formal process

  - Structured timeframes

- Informal process

  - Parties agree on process

Mr. Grogan indicated that federal law governs the process for cable television franchise and that if they use the formal process there are certain timeframes that need to be met.

### Formal Process

- Six month notification window

  - 36 – 30 months before franchise expires

- Needs assessment

  - Must initiate within 6 months

  - Identify City's future needs

  - Review operator's past performance

- Operator submits proposal (from needs assessment)

- Marshall has 4 months to decide

- Denial = administrative hearing (only if they fail to comply with):

  - Compliance with franchise

  - Quality of service

  - Legal, tech., financial qualifications

  - Reasonableness of proposal

Mr. Grogan indicated that he felt both current franchises were in compliance with all of the requirements. He also indicated that a franchise couldn't be denied for any other reason.

### Informal Process

- Parties agree on process

- No timeframes involved

- Denial does not affect formal process

Mr. Grogan indicated that if no agreement is reached that they then have to use the formal process.

### Needs Assessment

- Request for information from operator

  - Focus groups/community leader surveys

  - Subscriber survey (cost can be split with cable operators)

  - Public hearings

## SPECIAL MEETING – FEBRUARY 28, 2000

- PEG access review
  - Public users/viewers
  - Community Colleges
  - K-12 Schools
- Internet applications
- Institutional services

Our franchise currently provides that the cable companies pay for all fees related to the renewal. There was some concern on whether the Internet applications fits ins the cable area or the telecommunications area. It was indicated that there is an interest in a network loop between the schools, city, county and etc.

### Document Preparation (include this in the Needs Assessment)

- Regulatory ordinance
  - Govern all video providers
  - Uniform regulatory plan
- Franchise agreement
  - Unique operator issues
  - Incorporates ordinance requirements

### Grant of Authority

- Dictates use of public rights-of-ways
- Determines services to be provided
  - What are "cable services?"
  - What are "non-cable services?"
- Operator will seek broad grant
- Ensure necessary control is retained
- Will operator pay fees?

### Franchise Term

- Operator will seek at least 15 years
  - Desire financial stability
  - Reduce administrative burdens
- Can City impose shorter term?
  - Depends upon capital investment
  - May consider graduated term
- No support in law-negotiated issue

### System Upgrade

- 3 keys to a system upgrade
  - Increased channel capacity
  - Improved reliability
  - Improved signal quality
- Operator may share upgrade desire
  - Cost will be deterrent
  - Will want to delay implementation
- Can require upgrade via federal law

### Franchise Fees

- Compensation for use of right-of-way
  - Up to 5% of "Gross Revenues"
    - Define broadly
    - Refer to FCC regulations for support
- Operator can identify on sub bills
- Does this create competitive disadvantage?

## SPECIAL MEETING – FEBRUARY 28, 2000

### Customer Service

#### FCC standards

- Office hours and telephone available
- Installations, outages, and service calls
- Comm. b/t operators and subscribers
- Billing, refunds and credits

Specify in franchise

Competitive disadvantage?

### Rate Regulation

Fully reserve all regulatory rights

To the extent not prohibited

Cite to applicable FCC regulations

Don't anticipate competition

Wait for it to arrive

### PEG (Public Educational Government) Access Requirements

Identify needed channels

Decide who will control channels

Identify needed capital support

For equipment and facilities

Operator can list on sub bills

Cannot mandate "operational support"

Pay attention to details

### Programming Issues

Operator has discretion

First amendment rights

Can rearrange and retier at will

Government has limited roll

Censorship

Free speech

Operator cannot change

Mix, level, or quality of lineup

### Comments from the council and others in attendance included:


1. Councilperson Rowe felt that since there are two cable companies, the City should use the formal process.
2. Mr. Grogan indicated that other cities with two cable companies have been able to use the informal process.
3. Councilperson Boedigheimer felt that with the formal process everyone always knows what the process is and what the timeframe is.
4. It was indicated that the franchise couldn't be denied based on financial.
5. Teri McCausland was in favor of the informal process and if no agreement can be reached then use the formal process.
6. Harry Weilage was concerned with the timeframe. Mr. Grogan indicated that the timeframe could be determined by counting back from the date that the current franchise expires.
7. A Needs Assessment needs to be completed before the decision of formal or informal is decided.
8. Mayor Byrnes indicated there are several items in the current franchise that are no longer needed. Mr. Grogan indicated that they would start with a new form that conforms to state and federal laws and work from there.
9. Surveys done by phone will get a better response than a survey by mail
10. Public hearings are an economical way to obtain information – but you do not always get a good response.



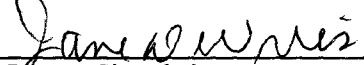
SPECIAL MEETING – FEBRUARY 28, 2000

11. It was suggested that the city work with other communities that have been through the renewal process.

The meeting was adjourned at 7:20 P.M.

  
\_\_\_\_\_  
Mayor of the City of Marshall

ATTEST:

  
\_\_\_\_\_  
Deputy City Clerk

## REGULAR MEETING – MARCH 6, 2000

The regular meeting of the Common Council of the City of Marshall was held on March 6, 2000 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, Boedigheimer and Stores. Absent: Reynolds. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Keith Nelson, Director of Public Works/City Engineer; 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 as presented. All voted in favor of the motion.

### APPROVAL OF THE MINUTES:

Rowe moved, Doyle seconded, that the minutes of the regular meeting held on February 22, 2000 and the minutes of the special meeting held on February 28, 2000 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 10:00 A.M. on February 25, 2000 for the purchase of three pick-up trucks (one each for Wastewater Treatment Facility, Street Department and Engineering); and the sale of two pick-up trucks (Airport and Parks). The bids received, opened and read were as follows:

	Proposal A	Proposal B	Proposal C	Proposal D
Anton Chevrolet Marshall, Minnesota		\$59,738.95		
Lockwood Motors Marshall, Minnesota	\$59,402.50	\$61,000.00	\$500.00	\$1,000.00
Marshall Ford Marshall, Minnesota	\$66,289.86			
Tholen Auto Sales Marshall, Minnesota	\$65,522.86			

- Proposal A: Bidder provides three (3) pick up trucks and purchases both trade-in vehicles (Airport & Parks).  
Proposal B: Bidder provides three (3) pick up trucks.  
Proposal C: Bidder purchases Airport Department trade-in vehicle only.  
Proposal D: Bidder purchases Parks Department trade-in vehicle only.

Per the recommendation of Keith Nelson, Director of Public Works/City Engineer, Boedigheimer moved, Stores seconded, that the bid for the purchase of three (3) pick-up trucks be awarded to Anton Chevrolet, Marshall, Minnesota in the amount of \$59,738.95; the sale of the 1988 Ford Ranger for \$1,000 to Lockwood Motors and the sale of the 1978 Ford for \$500 to Lockwood Motors. All voted in favor of the motion.

## REGULAR MEETING – MARCH 6, 2000

Bids were received, opened and read at 10:00 A.M. on February 25, 2000 for the purchase of one (1) 2000 one-ton 4-wheel drive truck chassis for the Street Department. Bids received, opened and read were as follows:

Lockwood Motors	\$28,242.47 – 139" wheel base
Marshall, Minnesota	\$28,364.94 – 163" wheel base
Marshall Ford	\$31,975.56 – 141" wheel base
Marshall, Minnesota	
Tholen Auto Sales	\$28,362.38 – 131 ½" wheel base
Marshall, Minnesota	

Quotes were also received for the purchase of a dump box and plow from Crysteel Truck Equipment in the amount of \$11,933.88

Per the recommendation of Keith Nelson, Director of Public Works/City Engineer, Boedigheimer moved, Stores seconded, the bid for the purchase of one (1) 2000 one-ton 4-wheel drive truck chassis for the Street Department be awarded to Lockwood Motors in the amount of \$28,242.47; and for the purchase of a dump box and snow plow from Crysteel Truck Equipment in the amount of \$11,933.88. All voted in favor of the motion.

### **PUBLIC HEARING – LIQUOR LICENSE EAGLES CLUB:**

This was the date and time set for a public hearing for an on-sale intoxicating liquor license for the Fraternal Order of Eagles AERIES 3405. There was a representative there from the Eagles Club and he indicated that they did not renew their liquor license on January 1, 2000 due to financial problems, but they were in a financial position to apply for a liquor license at this time. Stores asked what type of food would be served and if this would meet the requirements of the ordinance. It was indicated that they have removed their kitchen, but they would be serving pizzas and hot sandwiches, which would, meet the requirements of the ordinance. Doyle moved, Edblom seconded, that the public hearing be closed. All voted in favor of the motion.

Edblom moved, Boedigheimer seconded, the approval of an on-sale intoxicating liquor license for the Fraternal Order of Eagles AERIES 3405 at 423 West Main Street, Marshall, Minnesota. This license will expire on December 31, 2000. Rowe questioned whether or not a police check had been completed. City Administrator Mike Johnson, indicated that this was complete to his knowledge. All voted in favor of the motion.

### **PUBLIC HEARING – PROJECT 2000-005 SOUTHVIEW DRIVE WATERMAIN:**

This was the date and time set for a public hearing on Project 2000-005 Southview Drive Watermain Replacement. Keith Nelson, Director of Public Works/City Engineer, reviewed the project with the council and others in attendance at the meeting. Daryl Scholten, 207 West Southview Drive, felt that this was a maintenance issue and that they should not be assessed for this replacement. He indicated that when this watermain was installed it was backfilled with clay not gravel and that this may be part of the reason that this watermain is breaking. It was indicated that the watermain has broken several times in the same area. This watermain was installed in 1970 and the citizens felt that it should last longer than 30 years. They questioned whether it was installed correctly. Mr. Nelson indicated that this watermain was installed correctly at that time. There was a concern about the financial burden for the residents in this area and that the utilities would not be paying for any of this project. Rowe moved, Edblom seconded, that the public hearing be closed. All voted in favor of the motion.

Stores moved, Boedigheimer seconded, the adoption of RESOLUTION NUMBER 2194, SECOND SERIES and that the reading of the same be waived. Resolution Number 2194, Second Series is a resolution Ordering Improvement and Preparation of Plans for Project No. 2000-005 Southview Drive Watermain Replacement. There will be continued discussion with the utilities in regard to the concerns of the citizens. All voted in favor of the motion.

**PUBLIC HEARING – PROJECT 2000-006 REDWOOD STREET WATERMAIN:**

This was the date and time set for a public hearing on Project 2000-006 Redwood Street watermain replacement. Keith Nelson, Director of Public Works/City Engineer, reviewed this project with the council and others in attendance at the meeting. There were no questions or concerns, therefore Doyle moved, Boedigheimer seconded, the public hearing be closed. All voted in favor of the motion.

Boedigheimer moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2195, SECOND SERIES and that the reading of the same be waived. Resolution Number 2195, Second Series is a resolution Ordering Improvement and Preparation of Plans for Project No. 2000-006 Redwood Street Watermain Replacement. There was a concern as to how the utilities determine when a watermain needs to be replaced. All voted in favor of the motion.

**PUBLIC HEARING – PROJECT 2000-007 COUNTY ROAD 33 WATERMAIN:**

This was the date and time set for a public hearing on Project 2000-007 County Road 33 watermain replacement. Keith Nelson, Director of Public Works/City Engineer, reviewed this project with the council and others in attendance at the meeting. It was indicated that the sewer line along County Road 33 does not need to be replaced. Edblom moved, Stores seconded, the public hearing be closed. All voted in favor of the motion.

Stores moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2196, SECOND SERIES and that the reading of the same be waived. Resolution Number 2196, Second Series is a resolution Ordering Improvement and Preparation of Plans for Project No. 2000-007 County Road 33 Watermain Replacement. All voted in favor of the motion.

**LEGISLATIVE AND ORDINANCE COMMITTEE REPORT:**

Rowe moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2196-A, SECOND SERIES and that the reading of the same be waived. Resolution Number 2196-A, Second Series is a resolution Providing for Control Signage in the City of Marshall. This resolution provides for the installation of traffic control devices and signs. All voted in favor of the motion.

Rowe moved, Doyle seconded, the adoption of ORDINANCE NUMBER 431, SECOND SERIES and that the reading of the same be waived. Ordinance Number 431, Second Series is an ordinance Amending Certain Sections of the City Code Establishing Qualifications to Serve on the Boards and Commissions Generally in the City of Marshall. This ordinance provides that board and commissions members shall be residents of the City of Marshall and that no board or commission member shall be an employee of the City, except those who are members by virtue of their office. All voted in favor of the motion.

Stores moved, Rowe seconded, the adoption of ORDINANCE NUMBER 432, SECOND SERIES and that the reading of the same be waived. Ordinance Number 432, Second Series is an Ordinance Amending Certain Sections of the City of Marshall Hospital Board Ordinance Regulating the Contracting Authority of the Hospital Board for the City of Marshall, Minnesota. This ordinance provides that the Board shall not make any contracts involving any expenditures of more than

**FARM LEASE PAUL DEUTZ:**

Stores moved, Edblom seconded, the proper city personnel shall be authorized to enter into a farm lease agreement with Paul Deutz. This Agreement is effective February 1, 2000 at a fee of \$450.00 for 1 year. All voted in favor of the motion.

**REFUSE HAULERS LICENSE:**

Edblom moved, Doyle seconded, the approval of the renewal of the Refuse Hauler's License for Ritter's Sanitary Service for the period April 1, 2000 through March 31, 2001 at a fee of \$120.00. Edblom asked if there were any concerns on file from the public. It was indicated that there were none. Stores questioned the status of the report from Lyon County that they were to receive. All voted in favor of the motion.

**GAMBLING LICENSE – MARSHALL JAYCEES:**

Doyle 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 Exempt Permit –LG 220 for the Marshall Jaycees to be used at Legion Field, Marshall, Minnesota on Saturday, June 10, 2000. All voted in favor of the motion.

**BEER LICENSE – MARSHALL AMATEUR HOCKEY ASSOCIATION:**

Stores moved, Boedigheimer seconded, the approval of a temporary non-intoxicating on-sale beer license for the Marshall Amateur Hockey Association. This license is for the period April 14 – 16, 2000 at the Lyon County Ice Facility. The fee for this license is \$25.00. All voted in favor of the motion.

A five-minute recess was called at this time.

**TRANSIENT MERCHANTS LICENSE – P.H.I. MIRACLE EAR:**

Doyle moved, Rowe seconded, the approval of a Transient Merchants License for Precision Hearing Instruments DBA Miracle Ear. The fee for this license is \$250.00 and this license will expire on December 31, 2000. All voted in favor of the motion.

**PLUMBERS LICENSE – PLUMBING & HEATING OF WILLMAR, INC.:**

Doyle moved, Stores seconded, the approval of a Plumbers License for Plumbing & Heating of Willmar, Inc., for the period March 7, 2000 through March 31, 2000. The fee for this license is \$50.00. All voted in favor of the motion.

**PLUMBERS LICENSE – ANNUAL RENEWAL:**

Doyle moved, Stores seconded, and it was unanimously approved that the following Plumber Licenses be approved for the period of April 1, 2000 through March 31, 2001 at a fee of \$50.00:

Joseph Mortier DBA Bisbee Plumbing & Heating  
Rodney Bruflat DBA Bruflat Plumbing & Heating  
Robert Vanderlinden DBA Countryside Plumbing  
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  
Mike Paulson DBA Mike's Plumbing & Heating

## REGULAR MEETING – MARCH 6, 2000

\$75,000.00 for any single item of purchase, addition or improvement without first obtaining the consent of the Council. All voted in favor of the motion.

### **PROJECT 2000-003 GENESIS AVENUE IMPROVEMENT:**

Keith Nelson, Director of Public Works/City Engineer, reviewed with the council and others in attendance the proposed improvements for Genesis Avenue. It was indicated that there would be another public hearing at which time the actual cost would be provided. Shawn Roles, owner of Village Park Trailer Court, was in attendance at the meeting and was concerned if Village Park would be assessed. It was indicated that there would not be any assessments against Village Park. Mr. Roles also indicated that he felt that this project should be tabled until such time that the final plat is approved for this area. Rowe moved, Stores seconded, the adoption of RESOLUTION NUMBER 2197, SECOND SERIES and that the reading of the same be waived. Resolution Number 2197, Second Series is a resolution Approving Plans and Specifications and Ordering Advertisement for Bids for Project 2000-003 Genesis Avenue Improvement. Bids for this project will be received at 2:00 P.M. on April 5, 2000. Council Edblom indicated that all of the cost associated with this project should be paid by the developer and homeowners. All voted in favor of the motion.

### **PROJECT 2000-004 WILKE-MILLER-BUESING FIRST ADDITION IMPROVEMENT:**

Edblom moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2198, SECOND SERIES and that the reading of the same be waived. Resolution Number 2198, Second Series is a resolution Approving Plans and Specifications and Ordering Advertisement for Bids for Project 2000-004 Wilke-Miller-Buesing First Addition Improvement. Bids for this project will be received at 2:00 P.M. on April 5, 2000. All voted in favor of the motion.

### **PROJECT 2000-008 LUCILLE STREET IMPROVEMENT:**

Doyle moved, Rowe seconded, the adoption of RESOLUTION NUMBER 2199, SECOND SERIES and that the reading of the same be waived. Resolution Number 2199, Second Series is a resolution Approving Plans and Specifications and Ordering Advertisement for Bids for Project 2000-008 Lucille Street Improvement. This Street is 2 blocks long, but the project is only being done on part the Lucille Street. All voted in favor of the motion.

### **PROJECT 2000-009 MADRID AREA INDUSTRIAL PARK IMPROVEMENT:**

Stores moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2200, SECOND SERIES and that the reading of the same be waived. Resolution Number 2200, Second Series is a resolution Receiving Report and Calling Hearing on Improvement for Project 2000-009 Madrid Area Industrial Park. The public hearing was scheduled for 7:30 P.M. on March 20, 2000 in the Council Chambers. All voted in favor of the motion.

### **PURCHASE OF DEMAND CONTROL GENERATION PROJECT:**

Dick Sleiter, Administrator from Weiner Memorial Medical Center, was in attendance at the meeting to review with the council the purchase of the Demand Control Project. Mr. Sleiter indicated that Ziegler Inc., Minneapolis, Minnesota was low bidder at \$967,333.00 and was recommending the bid be awarded to them. Boedigheimer moved, Stores seconded, that Weiner Memorial Medical Center award the bid to Ziegler Inc., Minneapolis, Minnesota in the amount of \$967,333.00 for the Demand Control Project. This project includes: Building including garage and storage space; Diesel engine generator set, switch gear, insulation; Lights, outlets, panelboard; Installation, connection; Fire suppression in the fuel room; Piping, sound attenuation, ventilation. All voted in favor of the motion.

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Neil Kroger DBA Neil's Plumbing & Heating  
Kenneth Grindeland DBA Olson Hardware Corp.  
Charles Rosenberger DBA Total Mechanical Services  
Mike Orthaus DBA Tri-State Mechanical  
Scott Wood DBA Wood's Plumbing & Heating  
Dick Winter for Schwan's Sales Enterprises, Inc.

**MAYOR AND COUNCILMEMBER REPORTS:**

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

Byrnes            No report

Stores            Community Services Advisory Board discussed the policies of the pool, summer registration will be split into 2 sessions this year – LTS registration will be from April 25 – 28, 2000 and all other class registration will be from May 9 – 12, 2000 in the Council Chambers; Downtown Design Group discussed a press release in regard to the grant received.

Edblom           Cable Commission met last Monday with the City Council; Planning Commission, Utilities Commission, Ways & Means Committee, Personnel Committee will be meeting in the near future.

Boedigheimer Lyon County Enterprise Development will hold their annual meeting on March 28, 2000 at 7:00 P.M. at the Courthouse.

Doyle            Housing Commission met this past Monday – McLeod will be doing wiring at the Marshall Hi-Rise Apartments; Human Rights Commission met last Monday and their regional meeting will be held on March 25, 2000.

Rowe            Library Board will meet next week but the Book sale is underway; MERIT Committee they are finishing the design of the fire tower and discussed the potential tax savings under the sales tax exception; Legislative and Ordinance Committee has not met.

Reynolds        No report.

**COUNCILPERSON INDIVIDUAL ITEMS:**

Other items of concern brought forth by the Mayor and Councilmembers included: the repair of the downtown sidewalks will begin this year; the train whistle issue will be discussed by the Legislative and Ordinance Committee; an airport survey will be conducted; the EPA appeal is still pending; there was a concern about a police officer needing to be at school basketball intra-mural events; when the watermain replacement projects are discussed it would be helpful if someone from the utilities was at the meeting; due to the nice weather the street cleaner has been out; the City Administrator's evaluation will be on March 20, 2000; and there will be a Joint City Council/Marshall School Board meeting on March 13, 2000 at the utilities.

**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. 23094 through 23210.

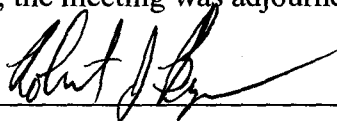
REGULAR MEETING – MARCH 6, 2000

**BUILDING PERMITS:**


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

ABC Seamless of Redwood Falls	903 Colombine Drive	Reside Dwelling	\$7,000
Bladholm Construction, Inc.	606 Jefferson Circle	Addition	\$35,000
Chuck Bofferding	1113 East College Drive	Install Sign	\$3,000
Greg & Debra Ahmann	1223 East Fairview Street	Bathroom Remodel	\$600
Chad & Shelly Rykhus	907 Birch Street	Install Windows	\$400
True Value Home Center	1403 Cumberland Road	Addition	\$23,000
Denison Construction	414 North 7th Street	Reroof Dwelling	\$2,400
French Construction	201 North 7th Street	Repair Roof	\$900
TerWisscha Construction	1420 East College Drive	Remodel Office	\$1,556,600
Dennis Lozinski	404 West Saratoga Street	Reroof Dwelling	\$3,200

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

  
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Mayor of the City of Marshall

ATTEST:

  
\_\_\_\_\_  
Financial Director/City Clerk



## SPECIAL MEETING – MARCH 13, 2000

A special City Council/Marshall School District #413 Joint meeting was held on March 13, 2000 in the Boardroom of the Marshall Municipal Utilities. The meeting was called to order jointly by Mayor Byrnes and Kathy Reiber, Chairperson at 5:30 P.M. In addition to Byrnes the following members were present: Doyle, Rowe, Edblom, Reynolds and Stores. Absent: Boedigheimer. Staff present included: Michael Johnson, City Administrator and Jane DeVries, Deputy City Clerk. Marshall School Board members included: Mike Snodgrass, Jeffrey Kruse, and Dennis Simpson. Pat Verly arrived late and Karen Koch was absent. School staff included: Tom Tapper and Bruce Lamprecht. Others in attendance at the meeting were: Paul Rehkamp, Lenny Pippin and Mohammed Basra.

The purpose of this joint meeting was for the City Council and the Marshall School District to be made aware of the activities and projects that are being considered and work together for the benefit of all concerned.

Michael Johnson, City Administrator, briefly reviewed the large projects that the City of Marshall is involved with at this time.

1. Affordable Housing – the City of Marshall has received a grant and with the help of several entities will be providing affordable housing. This money is to be used for an 18-unit townhouse and 32 single-family homes. The funding is to provide for affordable lots and provide a 2<sup>nd</sup> mortgage. These lots are being developed in the area of Madrid Road.
2. Downtown Revitalization – the City of Marshall has received a grant of 1.4 million dollars from the State of Minnesota for the revitalization of the downtown area. Part of the downtown revitalization includes the development of a park on the Taylor/Breyfogle property.
3. Public Golf Course – the City of Marshall is working with the Minnesota Amateur Sports Commission and the Tiger Woods Foundation for funds for a public golf course.
4. Community Center – the City of Marshall appointed an Ad Hoc Community Center Committee to compile information and provide a recommendation of what the needs and function of the community center should be. At this time the City of Marshall is seeking proposals from qualified firms interested in providing facility-planning services to the City.

Marshall has been very successful in obtaining grant money for these project and other projects such as the MERIT Center. It is the intent that the City of Marshall and the Marshall School Board can work together and not duplicate projects or facilities.

Thomas Tapper, Superintendent of Marshall Public Schools, reviewed facility needs and what has happened since the spring of 1995. Mr. Tapper indicated that as they look ahead to the future, our school facilities, and the programs and services provided within, must begin to transform themselves to better reflect both community and societal needs. This transformation into a "Place Called School" should have at least the following components:

## SPECIAL MEETING – MARCH 13, 2000

1. Primary Care Center – this Center should house all of our early childhood, family education programs. The facility (most likely Park Side Elementary School) would host not only all of our kindergarten through grade three programs, but also serve as a host to the ECFE and Head Start Programs. In addition, consideration should be given to work cooperatively with our community industries to provide “turn-key” day care and other family related support services. All of the programs housed within this facility would work cooperatively in order to provide a “seamless” educational experience for children and their parents.
2. Intermediate Learning Center – this Center should house our school programs for grades 4 and 5. The facility (most likely West Side Elementary School) would also provide a “turn-key” after care program that would provide an opportunity for children to participate in special interest activities such as computer club, cub scouts, girl scouts, and talent academy. In addition, the Center would provide special activities for parents and students to participate in together. Its proximity to the Armory and Legion Park should provide additional opportunities for collaborative efforts between the school and community.
3. Secondary Learning Center – this Center would provide programs and services for students in grades 6 through 12. The Center would be located on the current senior high school site and would require the construction of an addition to the existing senior high school. Most likely located immediately adjacent to the student parking lot (south end) this addition would house the academic programs for students in grades 9 through 12. Grades 6 through 8 would utilize the existing two academic wings of the senior high school. The Center, while somewhat traditional in its configuration would be technologically connected to SSU, MN West and the Internet. On additional special feature of the Center would be a community ‘gathering’ place where students could gather in small and large groups for socialization and informal learning. A similar gathering place would be provided for junior high students.
4. Community Learning Center – this Center would provide specialized programs for senior high students, area businesses and industry employees and the community as a whole. This space would contain both highly specialized training areas as well as community ‘gathering’ rooms. It should be anticipated that the Center would be staffed by District 413 personnel as well as by staff from MN West. Professional trainers from the private sector would also be invited to practice and provide services in this space. The Community Learning Center would be constructed as an addition to the high school. Most likely, it would be located adjacent to the northeast quadrant of our existing facility.
5. Community Arts and Recreation Center – this Center will provide needed additional recreation and performing arts practice space. The exact nature and extent of this Center would be dependent upon the location and size of the proposed community center. The basic needs of our school age children include additional practice and performance areas for our choir and band programs. Our fitness programs need additional training space and our extra-curricular programs (both extra and intra-mural) need additional space. Specific needs include work out rooms, tumbling areas for gymnasts and cheer squads, gymnasiums for volleyball and basketball and a properly sized wrestling area. Given the good quality of our existing gymnasium, it

SPECIAL MEETING – MARCH 13, 2000


would not appear necessary to construct an additional spectator space for basketball or volleyball.

At this time Lenny Pippin, CEO Schwans Sales Enterprises, Inc., expressed his appreciation that the City of Marshall and the Marshall School District are willing to work together on projects for the benefit of all concerned. He also indicated that Schwan's will be taking a more active role in supporting the community and their needs.

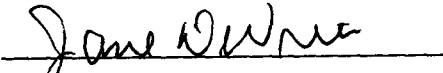
At this time Mike Johnson, City Administrator, reviewed the last item which was the Cable TV Franchise renewal. Currently the City of Marshall has two cable companies. The ideal situation would be that there would be one facility that both companies could operate jointly for the benefit of public cable TV access.

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

Upon motion by Simpson, seconded by Snodgrass, the Marshall School Board meeting was adjourned. All voted aye.

  
\_\_\_\_\_  
Mayor of the City of Marshall

ATTEST:

  
\_\_\_\_\_  
Deputy City Clerk

## REGULAR MEETING – MARCH 20, 2000

The regular meeting of the Common Council of Marshall was held on March 20, 2000 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: Reynolds, Stores, Edblom, Doyle and Rowe. Absent: Boedigheimer. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Harry Weilage, Director of Community Services; Rob Yant, Director of Public Safety; Thomas M. Meulebroeck, Finance Director/City Clerk; and Jane DeVries, Deputy City Clerk.

The Pledge of Allegiance was recited at this time.

Mike Johnson, City Administrator, extended a welcome to students from a government class from SSU, who were in attendance at the meeting.

### APPROVAL OF THE AGENDA:

It was the general consensus of the council that the agenda be approved with the addition of item number 15a which is the consideration of a Grant of Easement with the Housing and Redevelopment Authority.

### APPROVAL OF THE MINUTES:

Doyle moved, Reynolds seconded, that the minutes of the regular meeting held on March 6, 2000 be approved as corrected and the minutes of the special meeting of the council/school board held on March 13, 2000 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 March 14, 2000 for the purchase of one 4-wheel drive police vehicle and the selling of one 4-wheel drive police vehicle. Bids received, opened and read were as follows:

	Proposal A	Proposal B	Proposal C
Lockwood Motors Inc. Marshall, Minnesota	\$23,759.07 <u>(3,000.00)</u> \$20,759.07	\$23,759.07	
Chicago Motors, Inc. Chicago, Illinois			\$777.00

Proposal A: Furnish one (1) 4-wheel drive police vehicle and trade-in one (1) existing vehicle.  
Proposal B: Furnish one (1) 4-wheel drive police vehicle with no trade-in of existing vehicle  
Proposal C: Purchase one (1) trade-in existing vehicle only.

Rob Yant, Director of Public Safety, reviewed with the council the bids that were received. Mr. Yant also indicated that they would be receiving bids for a 2000 police rear-wheel drive patrol car. Rowe moved, Stores seconded, that the bid be awarded to Lockwood Motors Inc., in the amount of \$20,759.07

## REGULAR MEETING – MARCH 20, 2000

and that the city solicit the option with Lockwood to purchase a second vehicle if the bids for the rear-wheel drive patrol car are not acceptable. All voted in favor of the motion.

### **PUBLIC HEARING – PROJECT 2000-009 MADRID AREA INDUSTRIAL PARK:**

Per the request of Keith Nelson, Director of Public Works/City Engineer, Edblom moved, Doyle seconded, this public hearing be postponed to the April 3, 2000 City Council meeting. The affected property owners will be notified that the public hearing will be held on April 3, 2000. All voted in favor of the motion.

### **CONDITIONAL USE PERMIT – MARK ALMICH:**

Per the recommendation of the Planning Commission, Edblom moved, Doyle seconded, the approval of a five-year renewal of a Conditional Use Permit for a Home Occupation for a Live Bait Business at 705 Lawrence Street for Mark Almich. This conditional use permit was approved with the following conditions:

1. The permit be issued for a five-year period.
2. All water and organic wastes be disposed of in the municipal waste water system or other sanitary method away from the property.
3. That the hours of business be between 6:00 a.m. and 10:00 p.m. only.

All voted in favor of the motion.

### **CONDITIONAL USE PERMIT – WALTER C. SCHROEDER:**

Per the recommendation of the Planning Commission, Edblom moved, Rowe seconded, a Conditional Use Permit be approved to classify as a conforming use, a nonconforming seven-unit apartment building existing in a B-2 Central Business District at the time of the establishment of such district at 440 West Main Street for Walter C. Schroeder. This conditional use permit was approved with the following conditions:

1. The permit be issued for the seven existing units only and would not be transferable to any other location within the building.
2. This permit would not be transferable to a new building constructed at this location.
3. That all of the items listed in the inspection report dated February 14, 2000, be corrected within one year of the approval of the permit by the City Council.
4. Any room that is required to have a window to the outside for safety or sanitation that may be closed for any reason in the future would render that room and/or dwelling unit unusable as an apartment.

All voted in favor of the motion.

### **NORTH MEMORIAL HEALTH CARE ANNUAL REPORT:**

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 1999. Some of the highlights for 1999 included:

1. Moved the regional EMS education person to full time.
2. North EMS education currently trains over 225 agencies in SW Minnesota.
3. Put another new ambulance in service in Marshall.
4. Taking delivery of a 2000 ambulance on April 1<sup>st</sup> for Marshall.
5. Purchased an EMS education van for the education department in the region.
6. Maintained our staffing rosters with little turnover.

## REGULAR MEETING – MARCH 20, 2000

7. Painted the inside of ambulance station.
8. Have now replaced all outdated pagers and radios with new equipment.
9. North ambulance was re-accredited for three more years with the Commission of accreditation of ambulance services. Only one other service in the state holds this accreditation.
10. Received the ambulance service of the year award from the Minnesota Emergency Medical Services Association.
11. Placed a total of 3500 bike helmets in the region the last four years with the bike medic safety team with our bike rodeos.
12. Exceeded previous years run volumes.
13. Helped develop and be part of the Marshall Emergency Management Explorer Team.
14. Remain member of Chamber of Commerce.
15. Active in Marshall Rotary Club.
16. Was elected vice president of Minnesota Ambulance Association.
17. Board member on SW EMS Board.
18. Maintain an active tactical medic program in the area with the Drug Task Force unit.

### **PRELIMINARY PLAT – DTG ADDITION:**

Edblom moved, Doyle seconded, the introduction of the preliminary plat for DTG Addition and called for a public hearing to be held at 7:30 P.M. on April 3, 2000 in the council chambers. All voted in favor of the motion.

### **PRELIMINARY PLAT – CHAD'S ADDITION:**

Edblom moved, Rowe seconded, the introduction of the preliminary plat for Chad's Addition and called for a public hearing to be held at 7:30 P.M. on April 3, 2000 in the council chambers. All voted in favor of the motion.

### **PROJECT 40130 – PARKWAY SUBDIVISION IMPROVEMENT PROJECT:**

Doyle moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2201, SECOND SERIES and that the reading of the same be waived. Resolution Number 2201, Second Series is a resolution Ordering Preparation of Report on Improvement for Project 40130 – Parkway Subdivision. This project includes grading, asphalt surfacing, curb & gutter, storm sewer and watermain improvements. All voted in favor of the motion.

### **LIQUOR LICENSE FEE – EAGLES CLUB:**

Per the request of the Fraternal Order of Eagles 3405 Rowe moved, Stores seconded, the \$225 fee that they paid for a Club License be transferred to the Liquor License fee. It was determined that the Club License would not serve their needs and that they were required to have a liquor license. All voted in favor of the motion.

### **PLUMBERS' LICENSES RENEWAL:**

Reynolds moved, Stores seconded, and it was unanimously approved that the following Plumber Licenses be approved for the period April 1, 2000 through March 31, 2001 at a fee of \$50.00:

John Bretzman DBA **Crosstown Plumbing**

Ed Duthoy DBA **Ed's Plumbing & Heating**

Gary Lohse DBA **Plumbing & Heating of Willmar**

Vern Goslar DBA **Trio Plumbing & Heating**

**CONSUMPTION AND DISPLAY ANNUAL RENEWAL:**

Edblom moved, Reynolds seconded, the approval of a Consumption and Display License for the Marshall VFW 742 for the period April 1, 2000 through March 31, 2001 at a fee of \$100.00. All voted in favor of the motion.

**GAMBLING LICENSE – SSU MARCHING BAND:**

Rowe 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 for the Southwest State University Marching Band to be used at the Southwest State University Recreation Athletic Facility, Marshall, Minnesota on Friday, April 28, 2000 and that the 30 day waiting period be waived. All voted in favor of the motion.

**APPOINTMENTS TO COMMUNITY SERVICES ADVISORY BOARD:**

Stores moved, Reynolds seconded, Janet Vigna and Jennifer Hey be reappointed to the Community Services Advisory Board for terms to expire on February 28, 2003 and Kelli Thielges be appointed to the Community Services Advisory Board for a term to expire on February 28, 2002. All voted in favor of the motion.

**APPOINTMENTS TO FACILITY PLANNING SERVICES COMMITTEE:**

Proposals for Facility Planning Services for the proposed activity center for the community are due March 23, 2000. In an effort to assist in selecting and recommending a firm to address the scope of services for this project a committee is being formed. Rowe moved, Doyle seconded, and it was unanimously that the following be appointed to this committee: Steve Titus; Jean Haug; Paul Rehkamp; Mohammed Basra; Maureen Stores; Mike Boedigheimer; and a representative from the Marshall School Board.

**GRANT OF EASEMENT:**

Rowe moved, Edblom seconded, that a Grant of Easement between the Housing and Redevelopment Authority in and for the City of Marshall, Minnesota and the City of Marshall be approved. This easement will grant an additional 15 feet to an easement in the Marshall Industrial Park Third Addition along Lot 2, Block 1 and along Lots 1 & 2, Block 2. All voted in favor of the motion.

**MAYOR AND COUNCILMEMBER REPORTS:**

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

Byrnes        EDA has been meeting every two weeks and are continuing to work on the proposed housing project; Fire Relief Association has not met; Regional Development Commission are still in the process of replacing the Executive Director.

Stores        Community Services Advisory Board and Jt. Ice Facility Board have not met.

## REGULAR MEETING – MARCH 20, 2000

- Edblom      Cable Commission will meet on Tuesday; Planning Commission met last week; Utilities Commission will meet on Tuesday afternoon with representatives from Heartland Consumer Power District and they will also review their audit.
- Doyle      Housing Commission minutes are included in the agenda packet; Human Rights Commission will meet next Monday.
- Rowe      Insurance Advisory Committee has not met; Library Board minutes from February are included in the agenda packet; Legislative and Ordinance Committee has not met; MERIT Committee will be considering bids for the apparatus storage/maintenance building.
- Reynolds      Hospital Board discussed their financial operations – the projected revenue has decreased, they have made a change in the by-laws of the Finance Committee and communication continues between WMMC and Affiliated Medical Center.

### COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Councilmembers included: the St. Patrick Day Parade was a success; the Downtown Design Committee will be meeting on Wednesday; a concern was expressed about the removal of dead animals from city streets and sidewalks; the flood control project by Wayside rest will be starting soon; the lease between WMMC and Affiliated Medical Center continues to be discussed; there will be a Downtown Design meeting on March 27, 2000 at the Marshall Municipal Utilities Board Room.

### 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. 23211 through 23411.

### BUILDING PERMITS:

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

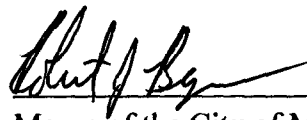
Steve Knutson	300 Jean Avenue	Bathroom Remodel	\$2,500
Jon & Lora Kruger	1306 Parkside Drive	Finish Bathroom	\$1,800
Allan & Kristie Wyffels	301 Donita Avenue	Basement Remodel	\$2,500
James Fischer	207 Gray Place	Egress Window	\$500
Greig & Gregerson	205 West Redwood	Kitchen Remodel	\$1,200
Dennis Lozinski	504 Pleasant Street	Reside	\$6,200
Jeff DeSmet	703 North 5th Street	Install Door	\$600
Sussner Construction, Inc.	701 Ontario Road	Remodel Retail Store	\$111,000
George J. Jacob Construction	120 East Saratoga Street	Reside Dwelling and Install Window	\$2,500
Good Shepherd Lutheran Church	1600 East College Drive	Install Elevator & Restrooms	\$45,000



REGULAR MEETING – MARCH 20, 2000

Sussner Construction, Inc.	600 Michigan Road	Remodel Lunch Room & Entrance	\$7,500
Jeff Morrison	613 West Marshall Street	Reroof Dwelling	\$4,700
Ralph Schroeder	511 South 1st Street	Sunroom Addition	\$18,000
True Value Home Center	902 South 1st Street	Reside Dwelling	\$4,000
Denny Miller Construction	109 West Thomas Avenue	Reside Dwelling	\$5,200
Dulas Construction	901 East Main Street	Store Canopy	\$52,000
Service Signs, Inc.	401 South Highway 23	Construct Sign	\$4,700
Shawn Rowles	101 Spruce Drive	Manufactured Home Installation	
Shawn Rowles	106 Spruce Drive	Manufactured Home Installation	

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

  
Mayor of the City of Marshall

ATTEST:

  
Financial Director/City Clerk

## REGULAR MEETING – APRIL 3, 2000

The regular meeting of the Common Council of the City of Marshall was held on April 3, 2000 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; Thomas Meulebroeck, Finance Director/City Clerk; Keith Nelson, Director of Public Works/City Engineer; Rob Yant, Director of Public Works; Jim VanHyfte, Manager Municipal Liquor Store; Dave Marks, Fire Chief; and Jane DeVries, Deputy City Clerk. Brian Murphy, City Attorney, arrived late.

The Pledge of Allegiance was recited at this time.

Mike Johnson, City Administrator, extended a welcome to students from a government class at SSU and members of Boy Scout Troop 320, who were in attendance at the meeting.

Mayor Bob Byrnes presented Jim VanHyfte with a proclamation acknowledging his 35<sup>th</sup> anniversary as an employee of the City of Marshall.

### APPROVAL OF THE AGENDA:

It was the general consensus of the council that the agenda be approved with the addition of item number 5A which is a request from Lake Marshall Township for an additional turnoff at the Wayside Park Area and moving item number 23, which is the consideration of a transfer of franchise rights from Great Plains Natural Gas Company to MDU Resources Group, Inc., to number 5B.

### APPROVAL OF THE MINUTES:

Rowe moved, Doyle seconded, that the minutes of the regular meeting held on March 20, 2000 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:

The bids received, opened and read at 2:00 P.M. on April 3, 2000 for a police type squad car vehicle were as follows:

	Proposal A	Proposal B	Proposal C
Marshall Ford Marshall, MN	\$24,680.00 <u>(4,017.00)</u> Trade in \$20,663.00		
Chicago Motors Chicago, IL			\$2,777.00
Surban Auto Inc. Minneapolis, MN			\$3,817.00

Proposal A - furnish one (1) police type squad car vehicle and trade-in of one (1) existing vehicle  
Proposal B – furnish one (1) police type squad car vehicle with no trade-in of existing vehicle.  
Proposal C – purchase one (1) trade-in existing vehicle only.

## REGULAR MEETING – APRIL 3, 2000

Rowe moved, Reynolds seconded, the bid for a police type squad car vehicle less trade in of an existing police type squad car be awarded to Marshall Ford, Marshall, Minnesota in the amount of \$20,663.00. All voted in favor of the motion.

### **PUBLIC HEARING – PROJECT 2000-009 MADRID AREA INDUSTRIAL PARK:**

This was the date and time set for a public hearing on the proposed assessment for Project 2000-009 Madrid Area Industrial Park. It was indicated that this improvement includes sanitary sewer and that the homeowners would then be able to eliminate their septic tanks (at their expense). Doyle moved, Rowe seconded, the public hearing be closed. All voted in favor of the motion.

Boedigheimer moved, Stores seconded, the adoption of RESOLUTION NUMBER 2202, SECOND SERIES and that the reading of the same be waived. Resolution Number 2202, Second Series is a resolution Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessment for project 2000-009 Madrid Area Industrial Park. This resolution provides for the assessments to be payable in equal annual installments over 8 years at 8% interest. All voted in favor of the motion.

Edblom moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2203, SECOND SERIES and that the reading of the same be waived. Resolution Number 2203, Second Series is a resolution Calling for a Hearing on the Proposed Assessment for project 2000-009 Madrid Area Industrial Park. The public hearing will be held at 7:30 P.M. on Monday, May 15, 2000 in the Council Chambers. All voted in favor of the motion.

### **PUBLIC HEARING – PRELIMINARY PLAT DTG ADDITION:**

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

Reynolds moved, Doyle seconded, the approval of the preliminary plat for DTG Addition. All voted in favor of the motion.

### **PUBLIC HEARING – PRELIMINARY PLAT CHAD'S ADDITION:**

This was the date and time set for a public hearing on the preliminary plat for Chad's Addition. Mark Timmerman questioned the zoning requirements for this area. There were no other questions or concerns, therefore Edblom moved, Doyle seconded, the public hearing be closed. All voted in favor of the motion.

Stores moved, Edblom seconded, the approval of the preliminary plat for Chad's Addition. All voted in favor of the motion.

### **WAYSIDE PARK ACCESS:**

Discussion was held at this time on the request for an additional turnoff at the Wayside Park. Floyd Wild, Chairman Lake Marshall Township, indicated that the township board would like to access to be put back the way it was before the construction of the Flood Control Project. Without a second turning area, all traffic near Wayside Park will have to use the intersection of Hwy 23 next to River Road and the Burlington Northern Railroad tracks. Rowe moved, Doyle seconded, that the proper city personnel advise the Minnesota Department of Transportation that they are in favor of the putting the access back the way it was before the Flood Control Project at the Wayside Park. It was also suggested that a sketch of the area be provided. All voted in favor of the motion.

REGULAR MEETING – APRIL 3, 2000

**TRANSFER OF FRANCHISE RIGHTS FROM GREAT PLAINS NATURAL GAS CO.:**

Boedigheimer moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2204, SECOND SERIES and that the reading of the same be waived. Resolution Number 2204, Second Series is a resolution Regarding Transfer of Franchise Rights from Great Plains Natural Gas Co., to MDU Resources Group, Inc. All voted in favor of the motion.

**CONTRACT SW MINNESOTA HOUSING PARTNERSHIP:**

Doyle moved, Edblom seconded, the proper city personnel be authorized to enter into a contract for Administrative Services with Southwest Minnesota Housing Partnership. The contract was necessary due to the size of the project and the limited experience City Staff has in working with the Small Cities Development Program. This contract also provides for subcontracting with Western Community Action, Inc., for field administrative duties. The Contract for Administrative Services is \$175,800, which is 8.9% of the budget. All voted in favor of the motion.

**TEMPORARY WORK AREA EASEMENT:**

Boedigheimer moved, Rowe seconded, that the agenda be amended to include consideration of the fee acquisition along with the temporary work area easement between Deutz & Crow Sand & Gravel and the City of Marshall. All voted in favor of the motion.

Boedigheimer moved, Stores seconded, the proper city personnel be authorized to enter into a Temporary Work Area Easement with Deutz & Crow Sand & Gravel Company and the approval of the Earnest Money Contract of Sale with Deutz & Crow Sand & Gravel Company. All voted in favor of the motion.

**PROJECT 2000-002 AIRPORT WATER/SEWER PROJECT:**

Rowe moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2205, SECOND SERIES and that the reading of the same be waived. Resolution Number 2205, Second Series is a resolution Receiving Report and Calling for Hearing on Improvement project 2000-002, which is the watermain/sewer extension to the Marshall Municipal Airport. The public hearing will be held at 7:30 P.M. on Monday, May 1, 2000 in the Council Chambers. All voted in favor of the motion.

**PROJECT 2000-005 SOUTHVIEW DRIVE:**

Stores moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2206, SECOND SERIES and that the reading of the same be waived. Resolution Number 2206, Second Series is a resolution Approving Plans and Specifications and Ordering Advertisement for Bids for project 2000-005, which is the Southview Drive Watermain Replacement Project. The bids for this project are to be received at 2:00 P.M. on Monday, May 1, 2000. All voted in favor of the motion.

**PROJECT 2000-006 REDWOOD DRIVE:**

Doyle moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2207, SECOND SERIES and that the reading of the same be waived. Resolution Number 2207, Second Series is a resolution Approving Plans and Specifications and Ordering Advertisement for Bids for project 2000-006, which is the Redwood Street Watermain Replacement Project. The bids for this project are to be received at 2:00 P.M. on Monday, May 1, 2000. All voted in favor of the motion.

**PROJECT 2000-007 COUNTY ROAD 33:**

Boedigheimer moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2208, SECOND SERIES and that the reading of the same be waived. Resolution Number 2208, Second

## REGULAR MEETING – APRIL 3, 2000

Series is a resolution Approving Plans and Specifications and Ordering Advertisement for Bids for project 2000-007, which is the County Road 33 Watermain Replacement Project. The bids for this project are to be received at 2:00 P.M. on Monday, May 1, 2000. All voted in favor of the motion.

### **PROJECT 2000-008 LUCILLE STREET:**

Edblom moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2209, SECOND SERIES and that the reading of the same be waived. Resolution Number 2209, Second Series is a resolution Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessment for project 2000-008, which is the Lucille Street Improvement Project. This resolution provides for the assessments to be payable in equal annual installments over 8 years at 8% interest. All voted in favor of the motion.

Edblom moved, Rowe seconded, the adoption of RESOLUTION NUMBER 2210 SECOND SERIES and that the reading of the same be waived. Resolution Number 2210, Second Series is a resolution Calling for a Hearing on the Proposed Assessment for project 2000-008, which is the Lucille Street Improvement Project. The public hearing will be held at 7:30 P.M. on Monday, May 15, 2000 in the Council Chambers. All voted in favor of the motion.

### **PROJECT 40130 PARKWAY HOUSING ADDITION:**

Stores moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2211, SECOND SERIES and that the reading of the same be waived. Resolution Number 2211, Second Series is a resolution Receiving Report and Calling Hearing on Improvement for project 40130, which is the Parkway Housing Addition. The public hearing will be held at 7:30 P.M. on Monday, April 17, 2000 in the Council Chambers. All voted in favor of the motion.

### **CORRECTION TO PLAT FOR TED OLSEN'S 3<sup>RD</sup>:**

Rowe moved, Edblom seconded, the approval of the Land Surveyors' Certificate of Correction to Plat as presented by Lyle E. Moseng, RLS (No. 11943). This Certificate of Correction corrects the plat for Ted Olsen's 3<sup>rd</sup> Addition dated August 12, 1993. The portion of Genesis Avenue North of the section line should not have been part of this plat. All voted in favor of the motion.

### **PURCHASE WWTF TESTING EQUIPMENT:**

Per the recommendation of Bob VanMoer, Wastewater Treatment Facility Superintendent, Edblom moved, Doyle seconded, the purchase of a Pastel U.V. Analyzer from UZAR Environmental Equipment in the amount of \$9,715.00. This U.V. Analyzer will provide results for CBOD and TSS within one minute. All voted in favor of the motion.

### **PURCHASE FIRE DEPARTMENT EQUIPMENT:**

Boedigheimer moved, Edblom seconded, of purchasing rescue equipment for the fire department from Alex Air Apparatus (Lukas Rescue Systems) in the amount of \$24,845.00. The equipment to be purchased include: 1 cutter, 1 spreader, 1 simo hydraulic pump (gas), 2 telescopic rams, 2 hose reels with 100' hose each, 2-30' extension hoses, 6 coupling sets for pumps (if needed), 2 sets of pigtails for reels, 1 simo hydraulic pump (electric). All voted in favor of the motion.

Boedigheimer moved, Stores seconded, that the proper city personnel be authorized to purchase additional equipment for the one ton truck being transferred from the Street Department to the Fire Department. This truck is used to fight grass fires. The cost of this equipment is \$3,984.00 and is to be

## REGULAR MEETING – APRIL 3, 2000

paid from the City's Insurance Reserve Account since the original vehicle was lost in a fire and the loss was charged to the City Annual Aggregate Inc. All voted in favor of the motion.

### **OUT-OF-STATE TRAVEL:**

Stores moved, Doyle seconded, the approval of out-of-state travel for 3 or 4 personnel from the Fire Department Truck Committee to travel to Appleton, Wisconsin to review the latest technology for fire apparatus. They would be leaving on April 9<sup>th</sup> and returning on April 11<sup>th</sup>. All voted in favor of the motion.

### **CITY AUCTION:**

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

### **CONSUMPTION AND DISPLAY LICENSE – DAILY GRIND:**

Stores moved, Doyle seconded, the approval of a consumption and display license for J. & Wink Inc., DBA The Daily Grind. This license is for the period April 4, 2000 through March 31, 2001 at a fee of \$100. All voted in favor of the motion.

### **GAMBLING LICENSE – EAGLES CLUB:**

Rowe 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 renewal of the Gambling License for the Eagles AERIE 3405 for operation at 423 West Main Street, Marshall, Minnesota. All voted in favor of the motion.

### **PLUMBERS LICENSE:**

Rowe moved, Reynolds seconded, the approval of a plumbers license for Dallas Sanderson DBA Sanderson Mechanical and Tony McChesney DBA McChesney Mechanical at a fee of \$50.00 each. These licenses will expire on March 31, 2001. All voted in favor of the motion.

### **SALARY INCREASE – CITY ADMINISTRATOR:**

Byrnes moved, Edblom seconded, the approval of a salary increase of 3% for Michael Johnson, City Administrator effective January 1, 2000. All voted in favor of the motion.

### **MAYOR AND COUNCILMEMBER REPORTS:**

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

Byrnes            No report

Stores            Community Services Advisory Board will be meeting this week; Jt. Ice Facility Board needs to meet.

Edblom           Cable Commission met 2 weeks ago in a special meeting with the Council; Planning Commission will be meeting next week; Utilities Commission held a special meeting last Friday; the Ways and Means Committee and Personnel Committee need to meet.

Boedigheimer Airport Commission and Senior Citizen Center Commission will meet next week; Lyon County Enterprise Development met on March 28, 2000.

## REGULAR MEETING – APRIL 3, 2000

- Doyle      Housing Commission minutes are included in the agenda packet; Human Rights Commission are working on their resource brochure; Convention and Visitors Bureau met last month; Transit met last week.
- Rowe      Library Board has several activities coming up; MERIT Committee received bids for the maintenance building.
- Reynolds      Hospital Board will be meeting on April 17, 2000.

### COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Councilmembers included: the Community Circle presentation was completed; there was a concern with the stop lights on West College Drive at the intersection of Hwy 19 and South 2<sup>nd</sup> Street; the Downtown Design Group has met and decided on a Prairie Smart Theme for the downtown area; the sound system in the Council Chambers needs improvement; the keys for the municipal building needs to be resolved; the Dutch Elm Program is addressed in the code book; SW MN Housing Partnership met last Monday and discussed the design standard and the property being zoned correctly for the apartments; the Utilities held a strategic planning meeting; retaining families is an issue for the 9 county area around Marshall; there is some concern with the noise at the Humane Society Impound Facility on Kossuth Street in the early morning and late evening hours.

### BILLS/PROJECT PAYMENTS:

Edblom moved, Reynolds seconded, and it was unanimously approved that the following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 23412 through 23563.

### BUILDING PERMITS:

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

	Applicant	Location Address	Description of Work	Valuation
1.	Thomas & Amy Salfer	503 Hudson Avenue	Remodel and Garage Addition	\$25,000
2.	Boulevard Developers	1419 East College Drive	Sign	\$400
3.	Slagel Construction	106 "G" Street	Bathroom Remodel	\$4,000
4.	French Construction	109 Parkview Drive	Deck Remodel	\$800
5.	Mike Buysse Construction	316 South 6th Street	Garage	\$10,000
6.	Steven Baumann Construction	104 Circle Drive	Reroof	\$3,600
7.	True Value Home Center	1213 Patricia Court	Dwelling	\$125,000
8.	Bladholm Construction, Inc.	321 West Main Street	Interior Remodeling	\$4,800
9.	Dennis Lozinski	1302 Horizon Drive	Reroof	\$3,000
10.	Emil & Mary Ann Kack	1102 Horizon Drive	Garage Addition	\$4,500
11.	French Construction	608 Elaine Avenue	Install Window	\$1,200
12.	Donald Culligan	515 East Main Street	Garage Addition	\$4,500
13.	Hiller Development Co.	1106/1108 DeVito Street	Two-Family Dwelling	\$180,000
14.	Gene & Brenda Buss	507 Kendall Street	Replace Deck	\$1,500

REGULAR MEETING – APRIL 3, 2000

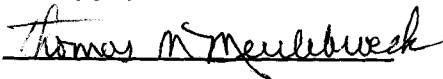
There was a concern about city staff being able to purchase items at the City Auction. The City staff will review this policy.

It was also that the county is now required to issue transient merchant's license to anyone who operates in the county.

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

  
\_\_\_\_\_  
Mayor of the City of Marshall

ATTEST:

  
\_\_\_\_\_  
Financial Director/City Clerk



2000 LOCAL BOARD OF REVIEW  
MONDAY, APRIL 17, 2000  
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, Tom Meulebroeck

Mayor Byrnes opened the 2000 Local Board of Review as presiding officer at 6:00 p.m. Following Mayor Byrnes' opening remarks, City Assessor Calvin Barnett reviewed the Board of Review background information packet. The same information was made available to people in attendance.

There was no one in attendance that wished to address the Local Board of Review.

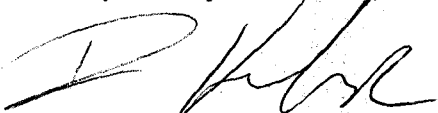
Barnett updated the Board members on the status of the two pending court cases, Heartland Foods and KMart Stores.

The Board was then advised they had received a copy of a letter from Pete Larson regarding the property at 202 Jewett Street, Marshall, Minnesota. Barnett stated he had been in contact with Mr. Larson and was awaiting further information regarding the property.

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 and any clerical changes. The Local Board of Review will receive the assessor's report on May 1, 2000.

There being no further businesses before the 2000 Local Board of Review, MOTION BY MIKE BOEDIGHEIMER, SECONDED BY TED ROWE to adjourn the meeting at 6:55 p.m.

Respectfully submitted,



Doris Huber, Recording Secretary

## REGULAR MEETING – APRIL 17, 2000

The regular meeting of the Common Council of the City of Marshall was held on April 17, 2000 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; Thomas M. Meulebroeck, Finance Director/City Clerk; Kim Jergensen, Senior Engineer Technician; Rob Yant, Director of Public Safety; 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 as presented.

### **APPROVAL OF THE MINUTES:**

Reynolds moved, Doyle seconded, that the minutes of the regular meeting held on April 3, 2000 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 Project 40130, Parkway Housing Addition Improvement. Mike Johnson, City Administrator, reviewed the project with the council and others in attendance at the meeting. There were no questions or concerns, therefore Rowe moved, Reynolds seconded, the public hearing be closed. All voted in favor of the motion.

Doyle moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2212, SECOND SERIES and that the reading of the same be waived. Resolution Number 2212, Second Series is a resolution Ordering Improvement and Preparation of Plans for Project 40130, Parkway Housing Addition Improvement.

### **RETIREMENT RESOLUTION:**

Stores moved, Rowe seconded, the adoption of RESOLUTION NUMBER 2213, SECOND SERIES and that the reading of the same be waived. Resolution Number 2213, Second Series is a resolution recognizing Michael Leese for his many years of dedicated service to the City of Marshall. Mayor Byrnes took this opportunity to read this resolution on behalf of the City of Marshall. All voted in favor of the motion.

### **PURCHASE NEW POLICE K-9 DOG:**

Rob Yant, Director of Public Safety, took this opportunity to review with the council and others in attendance the grant in the amount of \$3,400 that the City has received from the Minnesota Department of Public Safety to assist with the purchase of a dog along with other donations totaling almost \$4,900. Mr. Yant indicated that the current dog is 10 year old and that medical difficulties have begun to interfere with the duties that the dog has been trained to perform. It has been requested that the current K-9 dog (Chance) be retired and live out the balance of his life as a pet with the Larry Hanson family. Officer Hanson will incur the full responsibility of all of Chance's expenses. There was some concern with the new dog and the old dog getting along since Officer Hanson will have both of these dogs at his residence. It was indicated that it will take time for the two dogs to get acquainted, but that there should not be any problem with them getting along.

## REGULAR MEETING – APRIL 17, 2000

Rowe moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2214, SECOND SERIES and that the reading of the same be waived. Resolution Number 2214, Second Series is a resolution Authorizing the Execution of Agreement with the State of Minnesota Department of Public Safety Grant for an Overtime/Drug Dog Grant. This grant is in the amount of \$3,400. All voted in favor of the motion.

Edblom moved, Doyle seconded, that the proper city personnel be authorized to enter into a contract between Fort Collins Protection Dogs & Training, Inc., and the City of Marshall, Minnesota. This contract provides for the City of Marshall to purchase a dog from the Fort Collins Protection Dogs & Training, Inc. This dog will be completely trained and guaranteed, (physically), for one year. The cost of this dog and training will be \$7,500. All voted in favor of the motion.

Stores moved, Edblom seconded, that the proper city personnel be authorized to enter into a contract between Lawrence P. Hanson and the City of Marshall for the retirement of Chance and it becoming the personal property of Larry Hanson. Mr. Hanson will be responsible for all acts of said dog, and he shall be responsible for all food and veterinary bills. All voted in favor of the motion.

### **CONDITIONAL USE PERMIT – ANITA HESS:**

Upon the recommendation of the Planning Commission, Edblom moved, Doyle seconded, the approval of the Conditional Use Permit for Anita Hess for a Home Occupation for a silk flower cleaning & sales / ceramics repair / gift wrapping business at 402 North Minnesota Street. This permit was approved with the following conditions:

1. That permit be issued for a one-year probationary period.
2. That the hours be between 6:00 A.M. and 10:00 P.M. only.

All voted in favor of the motion

### **PROJECT 2000-003 GENESIS AVENUE:**

Rowe moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2215, SECOND SERIES and that the reading of the same be waived. Resolution Number 2215, Second Series is a resolution Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessment for project 2000-003 Genesis Avenue Improvement. This resolution provides for the assessments to be payable in equal annual installments over 8 years at 8% interest. All voted in favor of the motion.

Rowe moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2216, SECOND SERIES and that the reading of the same be waived. Resolution Number 2216, Second Series is a resolution Calling for Hearing on Proposed Assessment for project 2000-003 Genesis Avenue Improvement. This public hearing will be held at 7:30 P.M. on Monday, May 15, 2000 in the Council Chambers. All voted in favor of the motion.

### **PROJECT 2000-004 WILKE-MILLER-BUESING FIRST ADDITION:**

Doyle moved, Rowe seconded, the adoption of RESOLUTION NUMBER 2217 SECOND SERIES and that the reading of the same be waived. Resolution Number 2217, Second Series is a resolution Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessment for project 2000-004 Wilke-Miller-Buesing First Addition Improvement. This resolution provides for the assessments to be payable in equal annual installments over 8 years at 8% interest. All voted in favor of the motion.

## REGULAR MEETING – APRIL 17, 2000

Doyle moved, Rowe seconded, the adoption of RESOLUTION NUMBER 2218, SECOND SERIES and that the reading of the same be waived. Resolution Number 2218, Second Series is a resolution Calling for Hearing on Proposed Assessment for project 2000-004 Wilke-Miller-Buesing First Addition Improvement. This public hearing will be held at 7:30 P.M. on Monday, May 15, 2000 in the Council Chambers. All voted in favor of the motion.

### **FINAL PLAT – DTG ADDITION:**

Reynolds moved, Stores seconded, the adoption of RESOLUTION NUMBER 2219, SECOND SERIES and that the reading of the same be waived. Resolution Number 2219, Second Series is a resolution Approving the Final Plat for DTG Addition. All voted in favor of the motion.

### **FINAL PLAT – CHAD'S ADDITION:**

Edblom moved, Rowe seconded, the final plat for Chad's Addition be tabled until May 1, 2000. All voted in favor of the motion.

### **PRELIMINARY PLAT – FORESOME DEVELOPMENT PLAT:**

Reynolds moved, Doyle seconded, the introduction of the preliminary plat for Foresome Development and called for a public hearing to be held at 7:30 P.M. on May 1, 2000 in the Council Chambers. The property included in the preliminary plat for the Foresome Development is to the East of RC Square Complex and West of Sunrise Court Apartments Complex (Trident) along Birch Street. All voted in favor of the motion.

### **ARCHITECTURAL/ENGINEERING PROPOSAL FOR M.E.R.I.T. CENTER:**

Upon the recommendation of the M.E.R.I.T. Committee, Rowe moved, Boedigheimer seconded, that the City of Marshall retain Group II Architects of Marshall for the schmetic design and construction and administrative services for the M.E.R.I.T. Fire Training Tower. The fee for this service is \$37,700 and will be paid from the "429" Improvement Fund. All voted in favor of the motion.

### **FACILITY PLANNING SERVICES AGREEMENT:**

Boedigheimer moved, Stores seconded, the proper city personnel be authorized to enter into a Facility Planning Services Agreement with Hammel, Green and Abrahamson, Inc., (HGA) for a Multi-Purpose Activities Center for the Community. It was indicated that HGA has a lot of experience and there is a lot of material and information that has been compiled by the Citizens Committee. The fee for this agreement will not exceed \$29,500. All voted in favor of the motion.

Boedigheimer moved, Edblom seconded, the fee for this agreement be paid out of the General Fund Mayor and Council Contingency Fund and that if this project proceeds that the General Fund Mayor & Council Contingency Fund be reimbursed from the financing for the Multi-Purpose Activities Center. All voted in favor of the motion.

### **LEGISLATIVE ASSOCIATES INC.**

Stores moved, Edblom seconded, the proper city personnel be authorized to enter into an agreement with Legislative Associates, Inc., for the calendar year 2000. The proposed fee for 2000 for the Federal legislative work would be approximately \$10,000 and approximately \$4,800 for the State legislative work. The fee of \$14,800 will be paid from the "429" Fund. All voted in favor of the motion.

**FURNACE REPLACEMENT – SENIOR CITIZEN CENTER:**

Upon the recommendation of the Senior Citizen Commission Boedigheimer moved, Stores seconded, the bid on the furnace replacement be awarded to Bisbee Plumbing and Heating in the amount of \$13,694.00. This bid is for 4 units and does not include electrical or demo work. All voted in favor of the motion.

**BUSINESS SUBSIDY AGREEMENT – ICEBERG ACQUISITIONS, INC.**

Boedigheimer moved, Rowe seconded, the adoption of RESOLUTION NUMBER 2220, SECOND SERIES and that the reading of the same be waived. Resolution Number 2220, Second Series is a resolution Calling for a Hearing on a Business Subside Agreement with Iceberg Acquisitions, Inc. The public hearing will be held at 7:30 P.M. on May 1, 2000 in the Council Chambers. All voted in favor of the motion.

**FARM LEASE – MIKE MORTIER:**

Doyle moved, Reynolds seconded, the approval of a farm lease with Mike Mortier from April 17, 2000 through April 17, 2005. This farm lease is for approximately 30 acres of land at a fee of \$30.00/acre for the first year and \$60.00/acre for the remaining 4 years. All voted in favor of the motion.

**AIRPORT SEALCOATING:**

Reynolds moved, Boedigheimer seconded, that the following quotes be accepted for the Airport Sealcoating:

McLaughlin & Schulz, Inc.	\$ 7,920.00	Fog Seal
Bergman Companies, Inc.	\$21,450.00	Painting
Bergman Companies, Inc.	\$ 8,520.20	Crack Filling

The total cost of this project is \$37,890.20 of which MN/DOT will pay 60% of the cost. All voted in favor of the motion.

**DISCUSSION PROPOSED SITES FOR NEW POST OFFICE:**

Discussion was held at this time of the location of the proposed sites of the new post office. It was indicated that they only input the city has is to make sure that meets the zoning requirements and complies with the comprehensive plan for the City of Marshall.

**TRANSIENT MERCHANTS LICENSE – COUNTRY STOP INC.**

Rowe moved, Reynolds seconded, that a transient merchant's license for Richard Allen Seipel DBA The Country Stop, Inc., be approved at a fee of \$250.00. This license will expire on December 31, 2000. All voted in favor of the motion, except Boedigheimer who voted no.

**RENEWAL SPECIAL VEHICLE LICENSES:**

Doyle moved, Stores seconded, that a special vehicle licenses be approved for Steve Kane and Robert Egly at a fee of \$25.00. These licenses will expire on December 31, 2000. All voted in favor of the motion.

**TEMPORARY ON-SALE NON-INTOXICATING BEER LICENSE:**

Boedigheimer moved, Edblom seconded, that an on-sale non-intoxicating beer license be approved for the Marshall Baseball Association for the period from May 15, 2000 through September 15, 2000 at a fee of \$100.00. All voted in favor of the motion.

**TRANSIENT MERCHANTS LICENSE – HOME TOWN SUPER SAVER:**

Stores moved, Edblom seconded, the approval of a transient merchant's license for Creative Innovations DBA Home Town Super Saver at a fee of \$250.00. This license will expire on December 31, 2000. All voted in favor of the motion, except Boedigheimer who voted no.

**MAYOR AND COUNCILMEMBER REPORTS:**

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

- Byrnes        Regional Development Commission met last Thursday and discussed the Prairie Expo Project and the Director's position.
- Stores        Community Services Advisory Board held their annual meeting at which time all of their divisions presented their plans for the year; Downtown Design Committee will met on Wednesday – the will be awarding the 2<sup>nd</sup> Design Award.
- Edblom       Cable Commission needs to meet soon; Planning Commission items were acted on by the Council; Utilities Commission will met on Tuesday; Ways and Means Committee met last week.
- Boedigheimer Airport Commission minutes are included in the agenda packet, they discussed the airport survey and TKDA was at the meeting to discuss the 5 year plan; Senior Citizen Commission discussed the proposals for the new furnace; Lyon County Enterprise Development and the Public Improvement/Transportation Committee have not met.
- Doyle        Housing Commission minutes are included in the agenda packet; Transit Committee will be meeting later this month.
- Rowe        Insurance Advisory Committee will meet on Thursday; Library Board met last week – they will be holding their Cookie Contest and their will be a joint meeting between the governing boards of the libraries in Marshall, Minneota and Tracy; Legislative and Ordinance Committee will meet this Wednesday; MERIT Committee was discussed earlier by the Council.
- Reynolds     Hospital Board met earlier this evening. They are continuing to discuss their operation losses for the first part of the year and they also discussed the tension that has taken place between on the hospital board.

**COUNCILPERSON INDIVIDUAL ITEMS:**

Other items of concern brought forth by the Mayor and Councilmembers included: why the difference between Genesis project cost being \$15,000/lot and Wilke-Miller-Buesing project cost being \$28,000/lot; there was a concern with equipment being a part of a project and having to pay architect fees on the equipment; there will be a JT. Law Enforcement open house during the last week of May or the first week of June; there will be some changes at the pool this summer; and there are several board and commission members who terms expire in May. It was suggested that a special time be set for interviews to fill these terms.

# REGULAR MEETING – APRIL 17, 2000

## BILLS/PROJECT PAYMENTS:

Edblom moved, Reynolds seconded, and it was unanimously approved that the following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 23564 through 23760.

## BUILDING PERMITS:

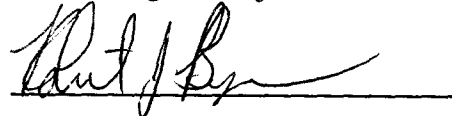
The following building permits previously approved by the Building Official were confirmed.

	Applicant	Location Address	Description of Work	Valuation
1.	Jerry Thompson	607 West Lyon Street	Interior Remodel	\$1,000
2.	Ken & Trish Paradis	1003 Columbine Drive	Deck	\$2,000
3.	Consolidated Sign Service	1214 West Main Street	Construct Signs	\$9,000
4.	Greig & Gregerson	113 North 3rd Street	Interior Remodel	\$2,500
5.	James & Stella Wuebker	401 South Highway 23	Move-In Garage	\$5,000
6.	Geske Building & Supply Co.	202 West James Avenue	Reside Dwelling	\$7,000
7.	Assemblies of God Church	711 North Bruce Street	Reroof	\$5,000
8.	Babcock Construction	604 West Lyon Street	Reside Dwelling	\$5,700
9.	Geske Building & Supply Co.	1225 East Fairview Street	Reside Dwelling, Install Windows, Install Door	\$12,000
10.	Michael & Mary Sue Hemish	105 Elaine Avenue	Deck	\$3,100
11.	Randy & Marilyn Hoffmann	402 Donita Avenue	Reroof Dwelling	\$1,500
12.	Richard Kerr	607 West Southview Drive	Demolish Garage	\$0
13.	John Marron	312 South 6th Street	Garage	\$11,500
14.	Hiskens Construction, Inc.	902 North 4th Street	Addition	\$23,000
15.	Michael Buysse	1101 South 4th Street	Addition	\$10,000
16.	Independent Lumber of Marshall, Inc.	811 DeSchepper Street	Dwelling	\$190,000
17.	Geihl Construction	823 Cullen Circle	Dwelling	\$270,000
18.	Wal-Mart #1722	1101 East Main Street	Install Hood	\$20,000
19.	Schlenner Construction Co.	1250 Patricia Court	Dwelling	\$195,000
20.	Shawn Rowles	121 Lilac Drive	Manufactured Home Installation	

Mike Johnson, City Administrator, asked for input on the new format used for the financial reports.

REGULAR MEETING – APRIL 17, 2000

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



Mayor of the City of Marshall

ATTEST:



Financial Director/City Clerk



2000 LOCAL BOARD OF REVIEW  
MONDAY, APRIL 17, 2000  
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, Tom Meulebroeck

Mayor Byrnes opened the 2000 Local Board of Review as presiding officer at 6:00 p.m. Following Mayor Byrnes' opening remarks, City Assessor Calvin Barnett reviewed the Board of Review background information packet. The same information was made available to people in attendance.

There was no one in attendance that wished to address the Local Board of Review.

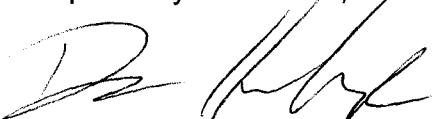
Barnett updated the Board members on the status of the two pending court cases, Heartland Foods and KMart Stores.

The Board was then advised they had received a copy of a letter from Pete Larson regarding the property at 202 Jewett Street, Marshall, Minnesota. Barnett stated he had been in contact with Mr. Larson and was awaiting further information regarding the property.

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 and any clerical changes. The Local Board of Review will receive the assessor's report on May 1, 2000.

There being no further businesses before the 2000 Local Board of Review, MOTION BY MIKE BOEDIGHEIMER, SECONDED BY TED ROWE to adjourn the meeting at 6:55 p.m.

Respectfully submitted,



Doris Huber, Recording Secretary

# BOARD OF REVIEW – MAY 1, 2000

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: Rowe, Doyle, Edblom, Reynolds, Boedigheimer and Stores. Absent: none.

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 17, 2000. Mr. Barnett indicated that there were no concerned taxpayers present at the 2000 Local Board of Review on April 17, 2000. A letter was presented to the Local Board of Review regarding the Four Seasons Car Wash located at 202 Jewett Street. As of April 28, 2000, the property owner has not supplied additional information to assist the assessor's office in re-examining the property's 2000 valuation. Without additional information to justify the taxpayer concern, it becomes necessary that I recommend no change.

Mr. Barnett indicated there were a number of clerical changes for the 2000 assessment. The changes relate to classification changes following the date at which the current assessment was submitted to Lyon County and changes, which are clerical changes similar in nature to preceding assessments. The clerical changes are sent through the Local Board of Review to formalize the change for Lyon County's purposes. These changes are as follows:


Parcel 27-258-006-0	Classification should be 203-1 - Relative	
Parcel 27-283-005-0	New construction should be \$29,400 \$22,000 qualifies for TOH - \$11,000 exempt	
Parcel 27-302-007-0	No new construction	
Parcel 27-303-007-0	\$2,200 in new construction	
Parcel 27-331-003-0	Classification should be 244-0	
Parcel 27-604-049-0	204-0 Classification for 1999 and 2000	
Parcel 27-604-100-0	Classification should be 201-1	
Parcel 27-677-093-0	Land	8,500
	Building	<u>27,700</u>
	Total	36,200
Parcel 27-677-094-0	Land	12,100
	Building	<u>27,700</u>
	Total	39,800
Parcel 27-714-006-0	Classification should be 201-1	
Parcel 27-751-010-0	Classification should be 204-0	
Parcel 27-757-028-0	Land	10,000
	Building	<u>74,800</u>
	Total	84,800
	Demolition	2,800
Parcel 27-825-090-0	Land	7,300
	Building	<u>45,800</u>
	Total	53,100
	New Construction	31,700

BOARD OF REVIEW – MAY 1, 2000

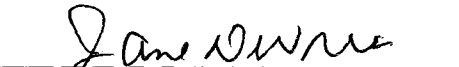
Parcel 27-930-004-0	Land	15,000
	Building	<u>142,100</u>
	Total	157,100
	New Construction	3,400
Parcel 27-936-003-0	Classification should be 201-1 (primary parcel is 27-933-025-0)	
Parcel 27-972-010-0	Land	15,600
	Building	<u>154,500</u>
	Total	170,100
All 27-982 parcel should <b>not</b> have green acre values		
Parcel 27-982-002-0	Land Value	7,000
Parcel 27-982-003-0	Land Value	7,200
Parcel 27-982-004-0	Land Value	3,500
Parcel 27-982-005-0	Land Value	3,000
Parcel 27-982-007-0	Land Value	33,200
Parcel 27-982-008-0	Land Value	19,200
Parcel 27-982-009-0	Land Value	13,400

Rowe moved, Doyle seconded, the report as presented by City Assessor, Calvin Barnett, be accepted. All voted in favor of the motion.

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

  
Mayor of the City of Marshall

ATTEST:

  
Deputy City Clerk

## REGULAR MEETING – MAY 1, 2000

The regular meeting of the Common Council of the City of Marshall was held on May 1, 2000 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, City Engineer/Director of Public Works; Rob Yant, Director of Public Safety; Harry Weilage, Director of Community Services; David Marks, Fire Chief; Kim Jergenson Senior Engineer Technician; Jane DeVries, Deputy City Clerk; and Thomas M. Meulebroeck, Financial Director/City Clerk 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 as presented:

### APPROVAL OF THE MINUTES:

Rowe moved, Reynolds seconded, that the minutes of the regular meeting held on April 17, 2000 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 April 4, 2000 for the M.E.R.I.T. Project Apparatus Storage/Maintenance Facility. The bids received, opened and read were as follows:

#### General Construction

	Bladholm Const., Inc. Marshall, MN	K.H.C. Const., Inc. Marshall, MN	Min-Kota Const., Dundee, MN
Base Bid	\$595,000.00	\$594,000.00	\$659,145.00
Alternate G-1 Add/Deduct	No Bid	Add \$14,000	No Bid
Alternate G-2 Deduct	\$6,700.00	\$20,000.00	\$15,322.00
Alternate G-3 Add	\$16,905.00	\$18,000.00	\$16,100.00
Alternate G-4 Add	\$6,090.00	\$7,500.00	\$6,400.00
Alternate G-5 Deduct	\$1,670.00	\$2,000.00	No change
Completion Schedule	240 Calendar Days	210 Calendar Days	240 Calendar Days

# REGULAR MEETING – MAY 1, 2000

## General Construction

	Robert L. Carr Co. Marshall, MN	Salonek, Inc. Springfield, MN	Terwisscha Const., Inc. Willmar, MN
Base Bid	\$622,400.00	\$610,750.00	\$631,000.00
Alternate G-1 Add/Deduct	No Bid	No Bid	No Bid
Alternate G-2 Deduct	\$6,700.00	\$17,500.00	\$6,700.00
Alternate G-3 Add	\$18,000.00	\$17,300.00	\$18,000.00
Alternate G-4 Add	\$6,000.00	\$6,400.00	\$7,200.00
Alternate G-5 Deduct	\$1,000.00	\$850	No Change
Completion Schedule	200 Calendar Days	240 Calendar Days	185 Calendar Days

## Description of Alternates:

- G-1 Provide 10'0" wide precast wall panels
- G-2 Provide natural finish precast concrete in lieu of white
- G-3 Provide bleachers
- G-4 Add floor pavers in locker/toilets
- G-5 Delete glaze tile/burnished CMU in Apparatus room

## Mechanical

	Base Bid	Alternate M-1 (deduct)	Alternate M-2 (deduct)
Bisbee Plumbing & Heating Inc Marshall, MN	\$148,279.00	\$2,878.00	\$1,825.00
Jenniges Plumbing & Heating Inc Redwood Falls, MN	\$247,889.00	\$3,832.00	\$1,959.00
Ryer Plumbing & Heating Inc Granite Falls, MN	\$174,475.00	\$1,500.00	\$1,460.00

## REGULAR MEETING – MAY 1, 2000

### Description of Alternates:

- M-1 Delete automatic flush valves, lav faucets
- M-2 Alternate infrared heating system

### Electrical

	Base Bid
L & S Electric Inc. Springfield, MN	\$58,879.00
Meier Electric Marshall, MN	\$58,470.00
Obe's Electric Marshall, MN	\$64,900.00

Tom Osterberg, Group II Architects, was in attendance at the meeting and reviewed with the Council and others in attendance the bids that were received for the Apparatus Storage/Maintenance Building. Mr. Osterberg indicated that the M.E.R.I.T. Committee met on April 5, 2000 to review the various options and issues that existed with the various bids. The M.E.R.I.T. Committee reviewed each bid and alternate in an effort to address cost options associated with the building project.

Upon review of the bids for the General Contractor the apparent low bidder was K.H.C. Construction Inc., in the amount of \$594,000 and the second low bidder is Bladholm Construction Inc., in the amount of \$595,000. The M.E.R.I.T. Committee is recommending that Alternate G-4, which is to add floor pavers in locker/toilets) be added to the base bids. This addition results in Bladholm Construction Inc., being the low bidder at \$601,090 and K.H.C. Construction Inc., being the second low at \$601,500.

The low bidder for the Mechanical Contractor is Bisbee Plumbing & Heating, Inc., Marshall, Minnesota in the amount of \$148,279.00. Mr. Osterberg indicated that he was notified by Bisbee Plumbing & Heating, Inc., that they failed to include the Car-Mon equipment at a price of \$15,110 in their bid. It was the recommendation of Mr. Osterberg and the City Attorney that Bisbee Plumbing & Heating Inc., be awarded the bid in the amount of \$148,279.00 and a change order be approved to add the Car-Mon equipment in the amount of \$15,110.00. With this change order Bisbee would still be the low bidder on this project.

The low bidder for the Electrical Contractor is Meier Electric, Inc., Marshall, Minnesota in the amount of \$58,470.00. There were no irregularities or issues associated with the electrical bids.

At this time Kim Christianson, K.H.C. Construction Inc., expressed his views and concerns. He expressed his concern with the bids and suggested that this project should be awarded according to the base bid and that the alternates should be awarded separately.

Councilperson Boedigheimer was concerned with the number of alternates that were requested and that by adding or deleting an alternate the project could be awarded a number of different ways. He was concerned that the alternates were used to pick and choose the contractor that was desired.

## REGULAR MEETING – MAY 1, 2000

Tom Osterberg, Group II Architects, stated that this was not a comfortable situation due to the bids being close, but the alternates provide for the city to stay within budget. He also indicated that when there are alternates the contract is not awarded just on the base bid. Mr. Osterberg indicated that he would be comfortable working with either contractor on this project.

Rowe moved, Stores seconded, the bid for the General Contractor for the apparatus storage/maintenance building be awarded to Bladholm Construction Inc., in the amount of \$601,090, which includes the base bid and alternate G-4. This contract was awarded contingent upon the approval of the Minnesota Department of Public Safety. All voted in favor of the motion, except Boedigheimer and Edblom who abstained.

Rowe moved, Doyle seconded, the Mechanical Contractor for the apparatus storage/maintenance building be awarded to Bisbee Plumbing & Heating in the amount of \$163,389, which includes the base bid and a change order to add the Car-Mon equipment. This contract was awarded contingent upon the approval of the Minnesota Department of Public Safety. All voted in favor of the motion.

Rowe moved, Reynolds seconded, the Electrical Contractor for the apparatus storage/maintenance building be awarded to Meier Electric, Inc., in the amount of \$58,470. This contract was awarded contingent upon the approval of the Minnesota Department of Public Safety. All voted in favor of the motion.

Stores moved, Reynolds seconded, the proper city personnel be authorized to enter into a contract with Group II Architects for the design and construction phase services for the fire training tower project at the M.E.R.I.T. Center. The basic compensation for this agreement is \$37,700.00. All voted in favor of the motion.

### **PUBLIC HEARING – AIRPORT WATER/SEWER EXTENSION PROJECT 2000-002:**

This was the date and time set for a public hearing on the water/sewer extension to the airport, project no. 2000-002. Keith Nelson, City Engineer/Director of Public Works, reviewed this project with the council and others in attendance at the meeting. There were no objections, therefore Doyle moved, Reynolds seconded, the public hearing be closed. All voted in favor of the motion.

Rowe moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2220-A, SECOND SERIES and that the reading of the same be waived. Resolution Number 2220-A, Second Series is a resolution Ordering Improvement and Preparation of Plans for Project 2000-002, Airport water/sewer extension. All voted in favor of the motion.

### **PUBLIC HEARING – FORESOME DEVELOPMENT:**

Rowe moved, Doyle seconded, the agenda be amended to hold the public hearing and approve the preliminary plat for Foresome Development Addition. All voted in favor of the motion.

This was the date and time set for a public hearing on the preliminary plat for Foresome Development Plat. There were no objections or concerns, therefore Rowe moved, Reynolds seconded, the public hearing be closed. All voted in favor of the motion.

Stores moved, Edblom seconded, the approval of the preliminary plat for Foresome Development Plat. This property is located to the East of RC Square Complex and West of Sunrise Court Apartment Complex (Trident) along Birch Street. All voted in favor of the motion.

**PUBLIC HEARING – ICEBERG ACQUISITIONS, INC.**

This was the date and time set for a public hearing on a Business Subsidy Agreement between the City of Marshall and Iceberg Acquisitions, Inc., for a \$150,000 community reinvestment loan for 10 years at 4% interest. This loan would assist in the financing of a 3,350 square foot expansion and the purchase of equipment for the Marshall (Diamond Clear Ice) facility. It is anticipated that there will be an expanded tax base and new employment opportunities. Stan Finnestad, Marshall EDA, was in attendance at the meeting to answer any questions. Under this agreement the City is required to monitor and report to the State of Minnesota that they are in compliance with the agreement. There were no objections or concerns, therefore Stores moved, Doyle seconded, the public hearing be closed. All voted aye.

Doyle moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2221, SECOND SERIES and that the reading of the same be waived. Resolution Number 2221, Second Series is a resolution Approving the Business Subsidy Agreement between the City of Marshall and Iceberg Acquisitions, Inc. This agreement provides for the City of Marshall to make a loan to Iceberg Acquisitions, Inc. All voted in favor of the motion.

Reynolds moved, Edblom seconded, that the proper city personnel be authorized to enter into \$50,000 Grant Agreement with the Department of Trade and Economic Development. This grant to the City of Marshall will be used as a loan for Iceberg Acquisitions, Inc., with repayment including interest, to the City of Marshall over the next 10 years at 4%. All voted in favor of the motion.

**MARSHALL MUNICIPAL UTILITIES AUDIT REPORT:**

Gary Becker, Chairman of the Marshall Municipal Utilities Commission, was in attendance at the Council Meeting to review the Audit Report for the year ending 12/31/99. He briefly reviewed the finances for the past year and projects that they were involved in last year. He indicated that of the \$1,000,000 rebate that the customers received in 1999 the City of Marshall received \$17,000 as their share. He introduced John DeCramer the new chairperson of the Marshall Municipal Utilities Commission and Roxy Moon and Gregg Sherman employees of the Marshall Municipal Utilities.

A 5-minute recess was taken at 9:03 P.M. at which time Mayor Byrnes left town on business. President Pro-Tem Stores reconvened the meeting.

**MARSHALL MUNICIPAL AIRPORT 5-YEAR CAPITAL IMPROVEMENT PLAN:**

Keith Nelson, City Engineer/Director of Public Works, reviewed with the council the 5-Year Capital Improvement Plan for the Marshall Municipal Airport. Lee VanDenBroeke, a member of the Airport Commission, was also in attendance at the meeting. He indicated that the current runway at the airport is 5,010 feet and the possible future extension to 6,500 feet would allow for high performance airplanes to use this facility. Boedigheimer moved, Doyle seconded, the 5-Year Capital Improvement Plan for the Marshall municipal Airport be approved. All voted in favor of the motion.

**PROJECT 40130 PARKWAY HOUSING ADDITION:**

Edblom moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2222, SECOND SERIES and that the reading of the same be waived. Resolution Number 2222, Second Series is a resolution Approving Plans and Specifications and Ordering Advertisement for Bids for Project 40130, which is the Parkway Housing Addition. The bids for this project will be received at 2:00 P.M. on May 30, 2000. All voted in favor of the motion.



## REGULAR MEETING – MAY 1, 2000

Tom Osterberg, Group II Architects, stated that this was not a comfortable situation due to the bids being close, but the alternates provide for the city to stay within budget. He also indicated that when there are alternates the contract is not awarded just on the base bid. Mr. Osterberg indicated that he would be comfortable working with either contractor on this project.

Rowe moved, Stores seconded, the bid for the General Contractor for the apparatus storage/maintenance building be awarded to Bladholm Construction Inc., in the amount of \$601,090, which includes the base bid and alternate G-4. This contract was awarded contingent upon the approval of the Minnesota Department of Public Safety. All voted in favor of the motion, except Boedigheimer and Edblom who abstained.

Rowe moved, Doyle seconded, the Mechanical Contractor for the apparatus storage/maintenance building be awarded to Bisbee Plumbing & Heating in the amount of \$163,389, which includes the base bid and a change order to add the Car-Mon equipment. This contract was awarded contingent upon the approval of the Minnesota Department of Public Safety. All voted in favor of the motion.

Rowe moved, Reynolds seconded, the Electrical Contractor for the apparatus storage/maintenance building be awarded to Meier Electric, Inc., in the amount of \$58,470. This contract was awarded contingent upon the approval of the Minnesota Department of Public Safety. All voted in favor of the motion.

Stores moved, Reynolds seconded, the proper city personnel be authorized to enter into a contract with Group II Architects for the design and construction phase services for the fire training tower project at the M.E.R.I.T. Center. The basic compensation for this agreement is \$37,700.00. All voted in favor of the motion.

### **PUBLIC HEARING – AIRPORT WATER/SEWER EXTENSION PROJECT 2000-002:**

This was the date and time set for a public hearing on the water/sewer extension to the airport, project no. 2000-002. Keith Nelson, City Engineer/Director of Public Works, reviewed this project with the council and others in attendance at the meeting. There were no objections, therefore Doyle moved, Reynolds seconded, the public hearing be closed. All voted in favor of the motion.

Rowe moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2220<sup>R</sup>, SECOND SERIES and that the reading of the same be waived. Resolution Number 2220, Second Series is a resolution Ordering Improvement and Preparation of Plans for Project 2000-002, Airport water/sewer extension. All voted in favor of the motion.

### **PUBLIC HEARING – FORESOME DEVELOPMENT:**

Rowe moved, Doyle seconded, the agenda be amended to hold the public hearing and approve the preliminary plat for Foresome Development Addition. All voted in favor of the motion.

This was the date and time set for a public hearing on the preliminary plat for Foresome Development Plat. There were no objections or concerns, therefore Rowe moved, Reynolds seconded, the public hearing be closed. All voted in favor of the motion.

Stores moved, Edblom seconded, the approval of the preliminary plat for Foresome Development Plat. This property is located to the East of RC Square Complex and West of Sunrise Court Apartment Complex (Trident) along Birch Street. All voted in favor of the motion.

**PUBLIC HEARING – ICEBERG ACQUISITIONS, INC.**

This was the date and time set for a public hearing on a Business Subsidy Agreement between the City of Marshall and Iceberg Acquisitions, Inc., for a \$150,000 community reinvestment loan for 10 years at 4% interest. This loan would assist in the financing of a 3,350 square foot expansion and the purchase of equipment for the Marshall (Diamond Clear Ice) facility. It is anticipated that there will be an expanded tax base and new employment opportunities. Stan Finnestad, Marshall EDA, was in attendance at the meeting to answer any questions. Under this agreement the City is required to monitor and report to the State of Minnesota that they are in compliance with the agreement. There were no objections or concerns, therefore Stores moved, Doyle seconded, the public hearing be closed. All voted aye.

Doyle moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2221, SECOND SERIES and that the reading of the same be waived. Resolution Number 2221, Second Series is a resolution Approving the Business Subsidy Agreement between the City of Marshall and Iceberg Acquisitions, Inc. This agreement provides for the City of Marshall to make a loan to Iceberg Acquisitions, Inc. All voted in favor of the motion.

Reynolds moved, Edblom seconded, that the proper city personnel be authorized to enter into \$50,000 Grant Agreement with the Department of Trade and Economic Development. This grant to the City of Marshall will be used as a loan for Iceberg Acquisitions, Inc., with repayment including interest, to the City of Marshall over the next 10 years at 4%. All voted in favor of the motion.

**MARSHALL MUNICIPAL UTILITIES AUDIT REPORT:**

Gary Becker, Chairman of the Marshall Municipal Utilities Commission, was in attendance at the Council Meeting to review the Audit Report for the year ending 12/31/99. He briefly reviewed the finances for the past year and projects that they were involved in last year. He indicated that of the \$1,000,000 rebate that the customers received in 1999 the City of Marshall received \$17,000 as their share. He introduced John DeCramer the new chairperson of the Marshall Municipal Utilities Commission and Roxy Moon and Gregg Sherman employees of the Marshall Municipal Utilities.

A 5-minute recess was taken at 9:03 P.M. at which time Mayor Byrnes left town on business. President Pro-Tem Stores reconvened the meeting.

**MARSHALL MUNICIPAL AIRPORT 5-YEAR CAPITAL IMPROVEMENT PLAN:**

Keith Nelson, City Engineer/Director of Public Works, reviewed with the council the 5-Year Capital Improvement Plan for the Marshall Municipal Airport. Lee VanDenBroeke, a member of the Airport Commission, was also in attendance at the meeting. He indicated that the current runway at the airport is 5,010 feet and the possible future extension to 6,500 feet would allow for high performance airplanes to use this facility. Boedigheimer moved, Doyle seconded, the 5-Year Capital Improvement Plan for the Marshall municipal Airport be approved. All voted in favor of the motion.

**PROJECT 40130 PARKWAY HOUSING ADDITION:**

Edblom moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2222, SECOND SERIES and that the reading of the same be waived. Resolution Number 2222, Second Series is a resolution Approving Plans and Specifications and Ordering Advertisement for Bids for Project 40130, which is the Parkway Housing Addition. The bids for this project will be received at 2:00 P.M. on May 30, 2000. All voted in favor of the motion.

**DSU CONTRACT DOWNTOWN DESIGN GUIDELINES AND DEVELOPMENT STANDARDS:**

Harry Weilage, Director of Community Services, was in attendance at the meeting to review the proposal from Dahlgren, Shardlow, and Uban, Inc., (DSU) for downtown design guidelines and development standards. There are two proposals from DSU, one is for Landscape Architectural Design Services and the other is for Urban Design Services. These fee for these two proposals will not exceed \$26,500. Norm Greggerson was in attendance at the meeting to express his concern with the property owners financing these costs above the grant amount of \$3,135/building. Rowe moved, Edblom seconded, the proper city personnel be authorized to enter into the agreement with DSU for the Landscape Architectural Design Services and for the Urban Design Services at a fee not to exceed \$26,500. All voted in favor of the motion.

**RENEWAL GROUP SELF-INSURED ACCIDENT PLAN FOR VOLUNTEERS:**

Rowe moved, Reynolds seconded, the renewal of the group self-insured accident plan for volunteers for the City of Marshall for the period January 1, 2000 to January 1, 2001. The annual premium for the coverage is \$1,742. All voted in favor of the motion.

**PROPOSED POSTAL FACILITY:**

A discussion was held at this time on the two proposed sites for the new Post Office. Keith Nelson, City Engineer/Director of Public Works, indicated that the site located at the Northwest corner of the intersection of Sherman Avenue and East Lyon Street was zoned commercial and the site located at the Southwest corner of Birch Street and Mustang Trail was zoned residential and was in the flood plain. Boedigheimer moved, Edblom seconded, that the City Council not support one site over the other. All voted in favor of the motion.

**TEMPORARY ON-SALE LIQUOR LICENSE – MUSTANG BOOSTER CLUB:**

Rowe moved, Edblom seconded, the approval of a 1 to 4 Day Temporary On-Sale Liquor License for the Mustang Booster Club. This license is for the June 9, 2000 opening dinner to be held at SSU for the SSU Golf Classic and the fee is \$25.00. All voted in favor of the motion.

**TEMPORARY ON-SALE NON-INTOXICATING BEER LICENSE – MARSHALL SOFTBALL ASSOCIATION:**

Rowe moved, Edblom seconded, the approval of a Temporary On-Sale Non-Intoxicating Beer License for the Marshall Softball Association to sell beer at the Softball Complex. This license is for the period May 8, 2000 through September 2, 2000 at a fee of \$100.00. All voted in favor of the motion.

**MAYOR AND COUNCILMEMBER REPORTS:**

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

Byrnes            No report.

Stores            Community Services Advisory Board will be meeting this week.

Edblom           Cable Commission and Planning Commission will meet next week; Utilities Commission met two weeks – they will be holding a public hearing on the proposed water rate increase; Ways and Means Committee and Personnel Committee have not met; the Quarterly Employee Committee met last week.

Boedigheimer No report

## REGULAR MEETING – MAY 1, 2000

- Doyle      Housing Commission, Human Rights Commission and Convention & Visitors Bureau met later this month.
- Rowe      Insurance Advisory Committee and M.E.R.I.T. Committee items were discussed earlier at the meeting; Library Board is meeting tonight with the Tracy and Minnesota Libraries; Legislative & Ordinance Committee minutes are in the agenda packet.
- Reynolds      Hospital Board meets later this month.

### COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Councilmembers included: Stores indicated that she attended a workshop at the high school; the Channel Parkway replacement project will take place in the next one to two years; acknowledge that the street department has been cleaning the streets; SSU Graduation will be held this weekend; and SSU is in the process of searching for a new president.

### REVIEW OF PENDING AGENDA ITEMS:

The traffic signal at the corner of "C" Street and Main Street is under construction.

### BILLS/PROJECT PAYMENTS:

Doyle moved, Edblom seconded, and it was unanimously approved that the following bills/project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 23761 through 23895.

### BUILDING PERMITS:

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

	Applicant	Location Address	Description of Work	Valuation
1.	Todd & Debi Pack	301 Elm Street	Reroof Dwelling	\$1,000
2.	Geske Building & Supply Co.	904 Cheryl Avenue	Reside Dwelling, Install Door, Install Windows	\$7,500
3.	Bladholm Construction, Inc.	440 West Main Street	Remodel Apartment	\$22,000
4.	Dennis Lozinski	101 Ranch Avenue	Reroof Dwelling	\$2,000
5.	Carr Properties	110 South 4th Street	Reside Apartment Building	\$7,500
6.	Steven Baumann Construction	307 East Redwood Street	Reside Dwelling & Garage	\$9,000
7.	Steven Baumann Construction	104 Circle Drive	Reside Dwelling	\$8,500
8.	Steven Baumann Construction	705 South 1st Street	Addition	\$27,500
9.	Bryan Ahmann	410 North 5th Street	Install Window	\$800
10.	Michael & Lisa Breyfogle	614 Kendall Street	Deck	\$2,200
11.	Steven & Juli Sanders	308 East Marshall Street	Kitchen Remodel	\$17,500
12.	Gerald Radtke	409 North 7th Street	Demolish Dwelling	\$0

REGULAR MEETING – MAY 1, 2000

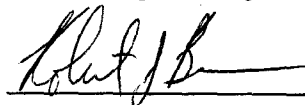
13.	Geske Building & Supply Co.	204 "A" Street	Install Window	\$1,100
14.	Sussner Construction, Inc.	300 South Bruce Street	Generator Building	\$276,900
15.	Richard Kerr	607 West Southview Drive	Garage	\$12,000
16.	Johnson Construction	705 Marguerite Avenue	Replace Door	\$500
17.	Michael DeBoer	701 Parkside Drive	Deck	\$1,800
18.	Stephen Bytnar	402 Dogwood Avenue	Deck	\$3,400
19.	Timothy Alcorn	504 Lincoln Avenue	Install Window	\$600
20.	Ralco Mix Products, Inc.	1600 Hahn Road	Batch Plant	\$250,000
21.	Ace Signs, Inc. of Willmar	1200 East Southview Drive	Install Sign	\$3,700
22.	Premier Painting & Construction	200 "H" Street	Deck Remodel	\$500
23.	Donald Edblom	410 South Hill Street	Replace Entry Stoop	\$700
24.	Ron & Karen Hoflock	805 Westmar Circle	Addition	\$15,000
25.	George J. Jacob Construction	400 West College Drive	Reroof Park Maintenance Building	\$4,400
26.	Dennis Lozinski	101 Ranch Avenue	Floor Repair	\$3,000
27.	Jackie Meyer	1303 Parkside Drive	Reroof Dwelling & Install Door	\$2,700

Mike Johnson, City Administrator, updated the council on a lawsuit brought against the City of Marshall by the Cottonwood River Basin Association.

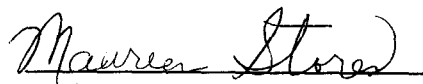
Councilmember Stores indicated that as a result of a student's school project the stoplights at the intersection of South 4<sup>th</sup> Street and Country Club Drive would be adjusted to allow more time before changing.

May 22, 2000 and May 30, 2000 at 5:30 P.M. were the dates and times set to hold interviews for the various city board and commissions.

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



Mayor of the City of Marshall



President Pro-Tem

Attest:



Financial Director/City Clerk

SPECIAL MEETING – MAY 15, 2000


A special meeting of the City Council of the City of Marshall was held on May 15, 2000 in the Cottonwood Room of the Marshall Municipal Building. The meeting was called to order at 6:00 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Rowe, Edblom, Boedigheimer and Stores. Absent: Doyle and Reynolds. Staff present included: Michael Johnson, City Administrator; Thomas Meulebroeck, Financial Director/City Clerk; Robert VanMoer Wastewater Superintendent and Jim VanHyfte, Liquor Store Manager.

The purpose of the special meeting was for Tom Koop, Partner of Larson, Allen, Weisheir & Co., auditors for the city, to provide an overview of the 1999 City's Audited Financial Report.

Tom Koop, reviewed various segments of the 1999 Audited Financial Report. A concern was expressed in regard to the completion of a conflict of interest form for each city council member. The documentation required for the changes or additional collateral needed from financial institutions was addressed. The mayor and council contingency and the supplemental information for TIF District 1-5 were also discussed.

Koop complimented City staff for the completeness, cooperation and timeliness in providing the financial information for the audit report.

The meeting was adjourned at 7:05 P.M.

  
Mayor of the City of Marshall

Attest:



Financial Director/City Clerk

## REGULAR MEETING – MAY 15, 2000

The regular meeting of the Common Council of the City of Marshall was held on May 15, 2000 in the Council Chambers of the Marshall Municipal Building. The meeting was called to order by Mayor Byrnes at 7:30 P.M. In addition to Byrnes the following members were present: Rowe, Edblom, Boedigheimer and Stores. Absent: Doyle and Reynolds. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Keith Nelson, Director of Public Works; Thomas Meulebroeck, Finance Director/City Clerk; Kim Jergenson, Engineer Technician; and Jane DeVries, Deputy City Clerk.

The Pledge of Allegiance was recited at this time.

Mike Johnson, City Administrator, extended a welcome to members of Boy Scout Troop 320 who were in attendance at the meeting.

### **APPROVAL OF THE AGENDA:**

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

### **APPROVAL OF THE MINUTES:**

Boedigheimer moved, Edblom seconded, that the minutes of the Local Board of Review of April 17, 2000 and May 1, 2000 and that the minutes of the regular City Council meeting held on May 1, 2000 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:**

Richard Slieter, Administrator Weiner Memorial Medical Center, was in attendance at the meeting and reviewed the bids that were received for Phase IV, which is the 3<sup>rd</sup> floor remodeling project. Upon the recommendation of Richard Slieter, Stores moved, Rowe seconded, the bids be approved for the 3<sup>rd</sup> floor remodeling project – Phase IV of Weiner Memorial Medical Center:

1. General Contractor – Bladholm Construction, Inc., Marshall, Minnesota in the amount of \$200,100.00.
2. Mechanical Work – Ryer Plumbing & Heating, Granite Falls, Minnesota in the amount of \$70,750.00 plus \$8,600.
3. Fire Protection – Grinnell Fire Protection System, Minneapolis, Minnesota in the amount of \$10,889.00.
4. Temperature Control – Johnson Controls, Inc., Sioux Falls, South Dakota in the amount of \$16,277.00.
5. Electric Work – R.C. Peterson Electric, Inc., Granite Falls, Minnesota in the amount of \$20,209.00.
6. Floor Finishes – Clare Paint & Wallpaper, Montevideo, Minnesota in the amount of \$29,555.00.
7. Ceramic Tile – Grazzini Brothers & Co., Eagan, Minnesota in the amount of \$15,925.00.
8. Painting/Special Coatings – Miesen's Color Center, Springfield, Minnesota in the amount of \$17,800.00.
9. Acoustical Panel ceiling – Dakota Acoustical Tile, Sioux Falls, South Dakota in the amount of \$9,850.00.

All voted in favor of the motion.

**PUBLIC HEARING – GENESIS AVENUE PROJECT 2000-003:**

This was the date and time set for a public hearing on the proposed assessment for Genesis Avenue, Project No. 2000-003. Keith Nelson, Director of Public Works/City Engineer, reviewed the proposed assessment. Mr. Nelson indicated that this area is being replated and that upon completion of the Final Plat for Chad's Addition the assessments will be recomputed. It was indicated that the owner of Chad's Addition needs to provide the City of Marshall with the Title Opinion before the Final Plat can be considered. Brian Murphy, City Attorney, indicated that the council could table this action are adopt the assessment roll and redistribute when the final plat is adopted. Councilperson Boedigheimer felt that the owners of the lots need to sign a consent form before the assessments are recomputed. He also indicated that the Final Plat needs to be adopted before the contract is awarded for this project.

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

Stores moved, Boedigheimer seconded, the adoption of RESOLUTION NUMBER 2223, SECOND SERIES and that the reading of the same be waived. Resolution Number 2223, Second Series is a resolution adopting the assessment for grading, asphalt surfacing, curb and gutter, storm sewer, sanitary sewer and water improvements on Genesis Avenue from County Road 67 to Scott Street including Scott Street, in Chad's Addition, Project No. 2000-003. It was stated that if the Final Plat for Chad's Addition is not adopted that this project will not be completed. This resolution allows for the assessment to be paid in equal annual installments over 8 years at a rate of 8% per annum effective October 15, 2000. All voted in favor of the motion.

Be it noted the arrival of Councilperson Doyle.

**PUBLIC HEARING – WILKE-MILLER-BUESING FIRST ADDITION PROJECT 2000-004:**

This was the date and time set for a public hearing on the proposed assessment for the Wilke-Miller-Buesing First Addition improvement Project No. 2000-004. Keith Nelson, Director of Public Works/City Engineer reviewed this project and indicated that the property owners have all signed a waiver of appeal. Rowe moved, Edblom seconded, the public hearing be closed. All voted in favor of the motion.

Edblom moved, Boedigheimer seconded, the adoption of RESOLUTION NUMBER 2224, SECOND SERIES and that the reading of the same be waived. Resolution Number 2224, Second Series is a resolution adopting the assessment for watermain, sanitary sewer, storm sewer and street construction for Wilke-Miller-Buesing First Addition, Project No. 2000-004. This resolution allows for the assessment to be paid in equal annual installments over 8 years at a rate of 8% per annum effective October 15, 2000. All voted in favor of the motion.

Edblom, moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2225, SECOND SERIES and that the reading of the same be waived. Resolution Number 2225, Second Series is a resolution accepting the bid for Project No. 2000-004 which is the



## REGULAR MEETING – MAY 15, 2000

The regular meeting of the Common Council of the City of Marshall was held on May 1, 2000 in the Council Chambers of the Marshall Municipal Building. The meeting was called to order by Mayor Byrnes at 7:30 P.M. In addition to Byrnes the following members were present: Rowe, Edblom, Reynolds and Stores. Absent: Doyle and Reynolds. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Keith Nelson, Director of Public Works; Thomas Meulebroeck, Finance Director/City Clerk; Kim Jergenson, Engineer Technician; and Jane DeVries, Deputy City Clerk.

The Pledge of Allegiance was recited at this time.

Mike Johnson, City Administrator, extended a welcome to members of Boy Scout Troop 320 who were in attendance at the meeting.

### **APPROVAL OF THE AGENDA:**

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

### **APPROVAL OF THE MINUTES:**

Boedigheimer moved, Edblom seconded, that the minutes of the Local Board of Review of April 17, 2000 and May 1, 2000 and that the minutes of the regular City Council meeting held on May 1, 2000 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:**

Richard Slieter, Administrator Weiner Memorial Medical Center, was in attendance at the meeting and reviewed the bids that were received for Phase IV, which is the 3<sup>rd</sup> floor remodeling project. Upon the recommendation of Richard Slieter, Stores moved, Rowe seconded, the bids be approved for the 3<sup>rd</sup> floor remodeling project – Phase IV of Weiner Memorial Medical Center:

1. General Contractor – Bladholm Construction, Inc., Marshall, Minnesota in the amount of \$200,100.00.
2. Mechanical Work – Ryer Plumbing & Heating, Granite Falls, Minnesota in the amount of \$70,750.00 plus \$8,600.
3. Fire Protection – Grinnell Fire Protection System, Minneapolis, Minnesota in the amount of \$10,889.00.
4. Temperature Control – Johnson Controls, Inc., Sioux Falls, South Dakota in the amount of \$16,277.00.
5. Electric Work – R.C. Peterson Electric, Inc., Granite Falls, Minnesota in the amount of \$20,209.00.
6. Floor Finishes – Clare Paint & Wallpaper, Montevideo, Minnesota in the amount of \$29,555.00.
7. Ceramic Tile – Grazzini Brothers & Co., Eagan, Minnesota in the amount of \$15,925.00.
8. Painting/Special Coatings – Miesen's Color Center, Springfield, Minnesota in the amount of \$17,800.00.
9. Acoustical Panel ceiling – Dakota Acoustical Tile, Sioux Falls, South Dakota in the amount of \$9,850.00.

All voted in favor of the motion.

**PUBLIC HEARING – GENESIS AVENUE PROJECT 2000-003:**

This was the date and time set for a public hearing on the proposed assessment for Genesis Avenue, Project No. 2000-003. Keith Nelson, Director of Public Works/City Engineer, reviewed the proposed assessment. Mr. Nelson indicated that this area is being replated and that upon completion of the Final Plat for Chad's Addition the assessments will be recomputed. It was indicated that the owner of Chad's Addition needs to provide the City of Marshall with the Title Opinion before the Final Plat can be considered. Brian Murphy, City Attorney, indicated that the council could table this action are adopt the assessment roll and redistribute when the final plat is adopted. Councilperson Boedigheimer felt that the owners of the lots need to sign a consent form before the assessments are recomputed. He also indicated that the Final Plat needs to be adopted before the contract is awarded for this project.

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

Stores moved, Boedigheimer seconded, the adoption of RESOLUTION NUMBER 2223, SECOND SERIES and that the reading of the same be waived. Resolution Number 2223, Second Series is a resolution adopting the assessment for grading, asphalt surfacing, curb and gutter, storm sewer, sanitary sewer and water improvements on Genesis Avenue from County Road 67 to Scott Street including Scott Street, in Chad's Addition, Project No. 2000-003. It was stated that if the Final Plat for Chad's Addition is not adopted that this project will not be completed. This resolution allows for the assessment to be paid in equal annual installments over 8 years at a rate of 8% per annum effective October 15, 2000. All voted in favor of the motion.

Be it noted the arrival of Councilperson Doyle.

**PUBLIC HEARING – WILKE-MILLER-BUESING FIRST ADDITION PROJECT 2000-004:**

This was the date and time set for a public hearing on the proposed assessment for the Wilke-Miller-Buesing First Addition improvement Project No. 2000-004. Keith Nelson, Director of Public Works/City Engineer reviewed this project and indicated that the property owners have all signed a waiver of appeal. Rowe moved, Edblom seconded, the public hearing be closed. All voted in favor of the motion.

Edblom moved, Boedigheimer seconded, the adoption of RESOLUTION NUMBER 2224, SECOND SERIES and that the reading of the same be waived. Resolution Number 2224, Second Series is a resolution adopting the assessment for watermain, sanitary sewer, storm sewer and street construction for Wilke-Miller-Buesing First Addition, Project No. 2000-004. This resolution allows for the assessment to be paid in equal annual installments over 8 years at a rate of 8% per annum effective October 15, 2000. All voted in favor of the motion.

Edblom, moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2225, SECOND SERIES and that the reading of the same be waived. Resolution Number 2225, Second Series is a resolution accepting the bid for Project No. 2000-004 which is the

## REGULAR MEETING – MAY 15, 2000

improvement of watermain, sanitary sewer, storm sewer and street construction for Wilke-Miller-Buesing Subdivision First Addition. The bid was awarded to McLaughlin & Schulz, Inc., Marshall, Minnesota in the amount of \$202,229.33. All voted in favor of the motion.

### **PUBLIC HEARING – LUCILLE STREET PROJECT 2000-008:**

This was the date and time set for a public hearing on the proposed assessment for the Lucille Street improvement Project No. 2000-004. Keith Nelson, Director of Public Works/City Engineer indicated that there was a revised resolution and assessment provided at the beginning of the meeting. Claire Sorbel, 205 Lucille Street, questioned the amount of his assessment. Mr. Sorbel was informed that with the revised assessment roll his assessment would be reduced. Boedigheimer moved, Rowe seconded, the public hearing be closed. All voted in favor of the motion.

Rowe moved, Stores seconded, the adoption of RESOLUTION NUMBER 2226, SECOND SERIES and that the reading of the same be waived. Resolution Number 2226, Second Series is a resolution adopting the assessment for curb and gutter, sidewalk and watermain replacement on Lucille Street between the center line of 4<sup>th</sup> Street and 2<sup>nd</sup> Street. This resolution allows for the assessment to be paid in equal annual installments over 8 years at a rate of 8% per annum effective October 15, 2000. All voted in favor of the motion.

### **PUBLIC HEARING – MADRID AREA INDUSTRIAL PARK PROJECT 2000-009:**

This was the date and time set for a public hearing on the proposed assessment for the Madrid Area Industrial Park Improvement Project No. 2000-009. Keith Nelson, Director of Public Works/City Engineer reviewed this project with those in attendance at the meeting. Mr. Nelson indicated that in the area along West College Drive that is being assessed that they are only being assessed for the sanitary sewer to be extended under the railroad tracks and that they were not being connected to the sanitary sewer at this time. Several property owners from the West College Drive area were in attendance at the meeting to discuss this project. They were concerned with the amount they were being assessed and not being connected to the Sanitary Sewer system. They also asked about the sanitary sewer being done privately by the property owners. Jesse Thordson, 226 London Road, was concerned about what would happen to the septic tanks once they were connected to the sanitary sewer system. It was indicated that they would be crushed and filled in with gravel. Doyle moved, Edblom seconded, the public hearing be closed. All voted in favor of the motion.

Boedigheimer moved, Rowe seconded, the adoption of RESOLUTION NUMBER 2227, SECOND SERIES and that the reading of the same be waived. Resolution Number 2227, Second Series is a resolution adopting the assessment for grading, asphalt surfacing, storm sewer, sanitary sewer, watermain, sidewalk and curb and gutter for the Madrid Area Industrial Park. This resolution allows for the assessment to be paid in equal annual installments over 8 years at a rate of 8% per effective from October 15, 2000. All voted in favor of the motion.

### **CONSIDER 1999 AUDIT REPORT:**

At a special meeting of the Common Council held at 6:00 P.M. Tom Koop, Auditor from Larson, Allen, Weisher & Co., Brainerd, Minnesota reviewed in detail the 1999 Audit Report for the City of Marshall with the council members and city staff. At this time he indicated that there

## REGULAR MEETING – MAY 15, 2000

were not major concerns or changes in regard to the audit. Boedigheimer moved, Stores seconded, the City of Marshall Audit for 1999 be accepted as presented. All voted in favor of the motion.

### **CONDITIONAL USE PERMIT – DR. KARL W. BEESCH:**

Upon the recommendation of the Planning Commission, Edblom moved, Boedigheimer seconded, the renewal of a Conditional Use Permit for a Home Occupation for Dr. Karl Beesch for a sporting goods sales business at 116 Circle Drive be approved. This conditional use permit was approved with the following conditions:

1. The permit be issued for a five-year period
2. That the hours of business be between 6:00 A.M. and 10 P.M. only.

All voted in favor of the motion.

### **CONDITIONAL USE PERMIT – ROLAND OLSON:**

Upon the recommendation of the Planning Commission, Stores moved, Edblom seconded, that a Conditional Use Permit to classify an existing nonconforming 4-unit apartment as a conforming use in a B-3 General Business District for Roland Olson at 109 West Greeley be approved. This conditional use permit was approved with the following conditions:

1. This permit would not be transferable to a new building constructed at this location.
2. That four (4) off-street parking spaces be provided on the property.

All voted in favor of the motion.

### **PROJECT 2000-005 – SOUTHVUE DRIVE WATERMAIN REPLACEMENT:**

Boedigheimer moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2228, SECOND SERIES and that the reading of the same be waived. Resolution Number 2228, Second Series is a resolution declaring the cost to be assessed and ordering preparation of proposed assessment for the watermain replacement on Southview Drive between 2<sup>nd</sup> Street and 4<sup>th</sup> Street. This resolution provides for the assessments to be payable in equal annual installments over 8 years at 8% interest. Marshall Municipal Utilities will pay ½ of the project. All voted in favor of the motion.

Doyle moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2229, SECOND SERIES and that the reading of the same be waived. Resolution Number 2229, Second Series is a resolution calling for a hearing on the proposed assessment for the watermain replacement on Southview Drive. The public hearing will be held at 7:30 P.M. on Monday, June 19, 2000. All voted in favor of the motion.

### **PROJECT 2000-006 – REDWOOD STREET WATERMAIN REPLACEMENT:**

Edblom moved, Boedigheimer seconded, the adoption of RESOLUTION NUMBER 2230, SECOND SERIES and that the reading of the same be waived. Resolution Number 2230, Second Series is a resolution declaring the cost to be assessed and ordering preparation of the proposed assessment for the watermain replacement on Redwood Street between "B" Street and Lyon Street. This resolution provides for the assessments to be payable in equal annual installments over 8 years at 8% interest. Marshall Municipal Utilities will pay for ½ of the cost of the project. All voted in favor of the motion.

## REGULAR MEETING – MAY 15, 2000

Edblom moved, Stores seconded, the adoption of RESOLUTION NUMBER 2231 SECOND SERIES and that the reading of the same be waived. Resolution Number 2231, Second Series is a resolution calling for a hearing on the proposed assessment for the watermain replacement on Redwood Street. The public hearing will be held at 7:30 P.M. on Monday, June 19, 2000. All voted in favor of the motion.

### **PRELIMINARY PLAT – DOOM INDUSTRIAL PARK:**

Stores moved, Doyle seconded, the introduction of the preliminary plat for Doom Industrial Park and called for a public hearing to be held at 7:30 P.M. on June 5, 2000 in the council chambers. Doom Industrial Park is an area East of County Road 7 and South of the Railroad tracks. All voted in favor of the motion.

### **PRELIMINARY PLAT – PARKWAY ADDITION:**

Stores moved, Doyle seconded, the introduction of the preliminary plat for Parkway Addition and called for a public hearing to be held at 7:30 P.M. on June 5, 2000 in the council chambers. Parkway Addition is an area West of Legion Field Road and North of Madrid Road that is designed for 81 lots for low density housing and 1 lot for higher density housing. All voted in favor of the motion.

A 5-minute recess was called at this time.

### **SERVICE CONTACT WITH SW AND WEST CENTRAL SERVICE COOPERATIVES:**

Doyle moved, Boedigheimer seconded, the proper city personnel be authorized to enter into two contracts with Southwest and West Central Service Cooperatives for networking administration for the City's computer system. One contract is for the period January 1, 2000 through June 30, 2000 at a cost of \$4,500 and the other contract is for the period July 1, 2000 through December 31, 2000 at a cost of \$4,800. These contracts provide for 16 hours of service per month. All voted in favor of the motion.

### **LEGISLATIVE AND ORDINANCE COMMITTEE:**

Discussion took place at this time on the ordinance regulating the parking and storage of boats, trailers, recreational vehicles, campers, and other recreational vehicles on residential lots within the City of Marshall, Minnesota. There were several residents in attendance at the meeting who voiced their concerns with the proposed changes to this ordinance. Boedigheimer moved, Stores seconded, this ordinance be tabled and be referred back to the Legislative and Ordinance Committee for further discussion. These residents were asked to leave their name with the City Clerk and they would be notified of the next Legislative and Ordinance Committee meeting. All voted in favor of the motion.

Rowe moved, Doyle seconded, the introduction of an ordinance Amending Certain Sections of Chapter 2 Regarding the City Council Procedure at Regular Council Meetings for the City of Marshall, Minnesota. This ordinance provides for Consent Agenda to be added to the order of business at regular meetings. All voted in favor of the motion.

## REGULAR MEETING – MAY 15, 2000

### **PURCHASE FIREWORKS:**

Stores moved, Edblom seconded, the approval of an application for Community Services to buy fireworks for display purposes on July 4, 2000 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.

### **PARADE PERMIT – SSU HOMECOMING:**

Stores moved, Rowe seconded, that the request from Southwest State University to close East Main Street from Lyon Street to 5<sup>th</sup> Street for SSU's Homecoming Parade be approved for Saturday, October 14, 2000. The parade will start at 10:00 A.M. and will last approximately one hour. All voted in favor of the motion.

### **WMMC TO PURCHASE PROPERTY AT 200 SOUTH MINNESOTA STREET:**

Boedigheimer moved, Stores seconded, the proper personnel from Weiner Memorial Medical Center be authorized to purchase the property located at 200 South Minnesota Street in the amount of \$87,000. All voted in favor of the motion.

### **PLUMBERS LICENSE:**

Edblom moved, Doyle seconded, that a plumbers license be approved for Glenn Larson DBA Enviro Pump-Plus/Diagnostic Sewer for the period ending March 31, 2001. The fee for this license is \$50.00. All voted in favor of the motion.

### **SPECIAL VEHICLE LICENSE:**

Stores moved, Edblom seconded, the approval of two special vehicle licenses for Michael Boedigheimer. These permits will expire on December 31, 2000 and the fee for these permits was waived. All voted in favor of the motion, except Boedigheimer who abstained.

### **MAYOR AND COUNCILMEMBER REPORTS:**

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

- |              |  |
|--------------|--|
| Byrnes       | <u>EDA</u> minutes are included in the agenda packet; <u>Regional Development Commission</u> met last Thursday – the Prairie Expo has opened and there will be a grand opening in July.  |
| Stores       | <u>Community Services Advisory Board</u> met on May 3 <sup>rd</sup> – they indicated that the summer registration went very well this year.  |
| Edblom       | <u>Cable Commission</u> indicated that the needs assessment for the cable renewal process needs to be completed; <u>Planning Commission</u> met last week, <u>Utilities Commission</u> will be meeting next week; <u>Ways and Means Committee</u> and <u>Personnel Committee</u> have not met. |
| Boedigheimer | Lyon County Enterprise Development will be meeting on May 25 <sup>th</sup> ; <u>Jt. LEC</u> indicated that there will be an open house at the new Law Enforcement Center on May 16, 2000.  |

REGULAR MEETING – MAY 15, 2000

Doyle        Human Rights Commission has not met; and the minutes from the Housing Commission were distributed at the council meeting.

Rowe        Library Board met last week – the are having new carpet installed on the first floor of the library; M.E.R.I.T. Committee met last week.

**COUNCILPERSON INDIVIDUAL ITEMS:**

Other items of concern brought forth by the Mayor and Councilmembers included: Stores attended the Granite Falls Community Center open house and felt that the city should sent them a letter of congratulations; work is continuing on the proposed community center and tours of existing facilities will take place.

**BILLS/PROJECT PAYMENTS:**

Edblom moved, Doyle seconded, and it was unanimously approved that the following bills/project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 23896 through 24110.

**BUILDING PERMITS:**

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

Applicant	Location Address	Description of Work	Valuation
1. David & Katie Jo Freeburg	207 East Main Street	Deck	\$600
2. John & Janet Trost	503 Kennedy Street	Dwelling	\$115,000
3. Tim & Penny Wall	105 East Redwood Street	Reroof Dwelling & Replace Steps	\$1,500
4. Malcolm & Ethel Wax	206 DeSchepper Court	Garage	\$10,000
5. Randy Gaffney	1102 Cheryl Avenue	Reside & Reroof Dwelling	\$4,000
6. Pamela Larson	615 West Thomas Avenue	Install Door & Step	\$2,000
7. Tammy VanOverbeke	503 East Main Street	Reroof Dwelling	\$2,000
8. Trevor Hanson	1220 East College Drive	Office Remodeling	\$2,000
9. Dennis Lozinski	613 West Redwood Street	Reside Garage	\$2,000

Weiner Memorial Medical Center will be celebrating 50 years on Sunday, May 28, 2000 from 1:00 P.M. to 4:00 P.M. Lyon County is asking for the City Engineer to assist them on a short-term basis until they hire a new County Engineer.

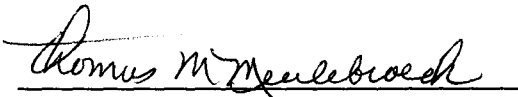
REGULAR MEETING – MAY 15, 2000

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



## REGULAR MEETING – JUNE 5, 2000

The regular meeting of the Common Council of the City of Marshall was held on June 5, 2000 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 in attendance at the meeting: Rowe, Doyle, Edblom, Reynolds and Boedigheimer. Absent: Byrnes. Staff presented included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Keith Nelson, Director of Public Works/City Engineer; Thomas Meulebroeck, Finance Director/City Clerk; Rob Yant, Director of Public Safety; Kim Jergensen, Senior Engineer Tech; 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 deletion of item 3c which was the resolution approving the final plat for Parkway Addition.

### **APPROVAL OF THE MINUTES:**

Rowe moved, Doyle seconded, that the minutes of the regular meeting held on May 15, 2000 be approved as corrected and as filed with each member and that the reading of the same be waived. The minutes of the May 15, 2000 meeting were corrected to indicate that the meeting was held on May 15, 2000 and that Boedigheimer was in attendance at the meeting. All voted in favor of the motion.

### **PUBLIC HEARING – DOOM INDUSTRIAL PARK:**

This was the date and time set for a public hearing on the preliminary plat for Doom Industrial Park. Keith Nelson, Director of Public Works/City Engineer, reviewed the preliminary plat. This plat is a parcel of property that is South of the Marshall Municipal Airport, East of County Road 7 and West of the railroad tracks. This preliminary plat is proposed to consist of 6 parcels of property which are zoned industrial and the intent is that they remain industrial. It is also the plan that once the water and sewer improvements are done and extended to the Marshall Municipal Airport that they would be extended to this property as well. In response to concerns with the property being in the flight path of the aircraft of the Marshall Municipal Airport, Mr. Nelson indicated that this property was not in the flight path of the Marshall Municipal Airport. With no further questions or concerns brought forth at the public hearing, Doyle moved, Rowe seconded, that the public hearing be closed. All voted in favor of the motion.

Doyle moved, Edblom seconded, that the preliminary plat for Doom Industrial Park which is a parcel of property South of the Marshall Municipal Airport, East of County Road 7 and West of the railroad tracks be approved. All voted in favor of the motion.

### **PUBLIC HEARING – PARKWAY ADDITION:**

This was the date and time set for a public hearing on the preliminary plat for Parkway Addition. Parkway Addition is a parcel of property, which is West of London Road, South of Madrid Road, and East of Legion Field Road. This area is being platted for residential lots. Keith Nelson, Director of Public Works/City Engineer, reviewed the preliminary plat with those in attendance at the meeting. There were no questions or concerns brought forth, therefore Rowe moved, Reynolds seconded, the public hearing be closed. All voted in favor of the motion.

Edblom moved, Doyle seconded, that the preliminary plat for Parkway Addition which is a parcel of property West of London Road, South of Madrid Road and East of Legion Field Road be approved. All voted in favor of the motion.

**ORDINANCE REGARDING CITY COUNCIL PROCEDURE:**

Edblom moved, Doyle seconded, the adoption of ORDINANCE NUMBER 433, SECOND SERIES and that the reading of the same be waived. Ordinance Number 433, Second Series is an ordinance Amending Certain Sections of Chapter 2 Regarding the City Council Procedure at Regular Council Meetings for the City of Marshall, Minnesota. This ordinance provides for the city council agenda to incorporate a consent agenda. All voted in favor of the motion.

**NEIGHBORHOOD PETITION – JOHN STEINLE:**

John Steinle who resides at 710 Oak Street, Marshall, Minnesota was in attendance at the meeting to address with the City Council a neighborhood petition that had been circulated in regard to the enforcement of the barking ordinance at the Lyon County Humane Society. The petition addresses a concern with the dogs at the impound center located at 800 Kossuth Avenue in Marshall. These dogs are barking and causing a public disturbance at many different hours of the day and evening. City Attorney Brian Murphy did briefly review the Minnesota Statutes that relate to impoundment of animals. The statute requires that the animals be placed in an impound facility for 5 days and that after that time they can become property of the Humane Society of Lyon County. The city council was provided with a copy of the neighborhood petition, a neighborhood map showing the location of the petitioners and the animal impound center, copies of Ordinance Number 417 and 423 regulating the keeping and licensing of dogs, city agreement and facility lease with Humane Society of Lyon County and other informational materials provided by the Humane Society of Lyon County. Mr. Steinle did indicate that since the current facility has been built there has been a continual problem with the barking of dogs. Mr. Steinle referred to subdivision 10 of the City Code, which addresses the distributing of the peace. Mr. Steinle indicated that he does have the documentation of all the calls that have been made in reference to the continual barking from the animal impound. He has called several days to law enforcement center, the Humane Society, Director of Public Safety Yant, Mayor Byrnes and City Administrator Mike Johnson. Mr. Steinle requested that the necessary action be taken to resolve the problem and if it is not resolved he will file a civil law suit. Mr. Steinle did have a tape that he played briefly which was an indication of the noise of the dogs barking when he has windows and doors open at his residence.

Sara Runchey, Attorney, was in attendance at the meeting on behalf of the Humane Society. Ms. Runchey asked for a show of hands of the people in attendance at the meeting who were representatives of the Humane Society. Ms. Runchey had visited with the investigator for the State Department of Health and she had shared with the city council his indication of the importance to a community to have an animal impound facility. Those in attendance at the meeting were informed that the animal facility is owned by the City not by the Humane Society of Lyon County. Ms. Runchey did address the state statute as it relates to animal care and indicated that there were approximately 300 animals in 1999 from within the City of Marshall that needed to be retained for 5 days at the center. This 300 does not include those animals that were brought to the facility from other communities and from Lyon County. Ms. Runchey did address the cost to euthanasia the animals that were brought to the facility and the potential cost in 1999 could have been \$11,800 and the cost for the boarding of these animals which ranges from \$7.00 to \$10.00 per day could have cost \$20,600 and the time that the volunteers have contributed was approximately \$14,000. Ms. Runchey indicated that if there is a civil action brought that it would not be brought against the Humane Society that it would have to be brought against the city, since they are the owners of this facility. Tom Osterberg was in attendance at the meeting and did indicate that he is not an active member of the Humane Society, but he does support the activities of this organization and did express the importance of having the impound center and how important pets can be when they are used to assist police departments, to assist the blind, to protect people and they help save lives. Mr. Osterberg did also praise the volunteers of the organization and did indicate that they are a group of dedicated people who work with very little financial support. Rowe moved, Reynolds seconded, that the concerns

## REGULAR MEETING – JUNE 5, 2000

with the noise at the Animal Impound Center be referred to the Ways and Means Committee for consideration. Per the request of Boedigheimer a friendly amendment was made to the motion to ask that two representatives from the neighborhood and two representatives from the Humane Society to attend the Ways and Means Committee to address the issue. Rusty Rhymer, a board member from the Humane Society, did concur that the best possible solution to the concern for the noise at the impound center would be to move the facility, but in the interim he is concerned with the protection of the volunteers and a means by which the personnel volunteering at the facility are not being harassed. All voted in favor of the motion.

### **PART-TIME POLICE OFFICER – POWER OF ARREST AND PERA:**

Upon the recommendation of the Director of Public Safety, Robert Yant, Rowe moved, Reynolds seconded, that Jennifer Diamond be employed as a part-time Police Officer with the City of Marshall at the rate of \$10.67 per hour effective June 5, 2000. The following resolution was adopted: BE IT RESOLVED that Jennifer Diamond be 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.

### **SPONSORING UNIT OF GOVERNMENT:**

Doyle moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2232, SECOND SERIES and that the reading of the same be waived. Resolution Number 2232, Second Series is a Sponsoring Unit of Government Resolution indicting the City of Marshall's support on behalf of Iceberg Acquisitions, Inc., to request financing through the Southwest Minnesota Foundation's partnership with the State of Minnesota Challenge Loan Program. All voted in favor of the motion.

### **PARKWAY HOUSING ADDITION IMPROVEMENT PROJECT 40130:**

Rowe moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2233, SECOND SERIES and that the reading of the same be waived. Resolution Number 2233, Second Series is a resolution Declaring Cost to be Assessed and Ordering the Preparation of Proposed Assessment for improvements to a parcel of land between Legion Field Road, Madrid Road, London Road and Paris Road by grading, asphalt surfacing, curb & gutter, storm sewer and watermain improvements. The parcel to be assessed is Lot 1, Block 1 Madrid First Addition. The cost to be assessed to this property owner is \$19,737.09. All voted in favor of the motion.

Rowe moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2234, SECOND SERIES and that the reading of the same be waived. Resolution Number 2234, Second Series is a resolution calling for a hearing on the proposed assessment for the improvements to a parcel of land between Legion Field Road, Madrid Road, London Road and Paris Road by grading, asphalt surfacing, curb & gutter, storm sewer and watermain improvements. The public hearing is scheduled for July 17, 2000 at 7:30 P.M. All voted in favor of the motion.

The following bids were received, opened and read at 2:00 o'clock P.M. on June 1, 2000 in the Council Chambers of the Marshall Municipal Building for Project No. 2000-40130 which is the improvements to a parcel of land between Field Road, Madrid Road, London Road and Paris Road by grading, asphalt surfacing, curb & gutter, storm sewer and watermain improvements:

REGULAR MEETING – JUNE 5, 2000

R & G Construction, Co.  
Marshall, Minnesota  
\$866,604.03

D & C Dozing  
Montevideo, Minnesota  
\$1,054,778.97

H & W Contracting, LLC  
Sioux Falls, South Dakota  
\$1,235,146.87

Gaub, Inc.  
Olivia, Minnesota  
\$1,311,625.45

Midwest Contracting, LLC  
Marshall, Minnesota  
\$1,321,495.70

Per the recommendation of the Director of Public Works/City Engineer Keith Nelson, Boedigheimer moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2235, SECOND SERIES and that the reading of the same be waived. Resolution Number 2235, Second Series is a resolution accepting the bid for project no. 2000-40130 for the improvements of a parcel of land between Field Road, Madrid Road, London Road and Paris Road by grading, asphalt surfacing, curb & gutter, storm sewer and watermain improvements. This bid is awarded to R & G Construction, Co., Marshall, Minnesota in the amount of \$866,604.03. All voted in favor of the motion.

**FINAL PLAT FORESOME DEVELOPMENT PLAT:**

Doyle moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2236, SECOND SERIES and that the reading of the same be waived. Resolution Number 2236, Second Series is a resolution approving the Final Plat for Foresome Development. Foresome Development is a parcel of property along Birch Street, which is, located East of RC Square Complex and West of the Sunrise Court Apartment Complex, formerly Trident Apartments. All voted in favor of the motion.

**FINAL PLAT MCLAUGHLIN INDUSTRIAL PARK II, SECOND ADDITION:**

Reynolds moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2237, SECOND SERIES and that the reading of the same be waived. Resolution Number 2237, Second Series is a resolution approving the Final Plat for McLaughlin Industrial Park II, Second Addition. The parcel affected by this final plat is a parcel of property along London Road. All voted in favor of the motion.

**REASSIGNMENT OF SPECIAL ASSESSMENTS – MCLAUGHLIN INDUSTRIAL PARK II:**

Rowe moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2238, SECOND SERIES and that the reading of the same be waived. Resolution Number 2238, Second Series is a resolution reassigning special assessments from Parcel Number 27-819014-0 to Parcel Number 27-819014-0 for project 1992-007 in the amount of \$15,542.08 and project no. 1993-015 in the amount of \$22,847.56. All voted in favor of the motion.

**MIDWEST AVIATION (FBO) LEASE:**

Boedigheimer moved, Reynolds seconded, that the FBO Lease between Midwest Aviation and the City of Marshall be increased from \$325.00 per month to \$350.00 per month effective June 1, 2000. All voted in favor of the motion.

**PLUMBERS LICENSE – RYER PLUMBING & HEATING, INC.:**

Rowe moved, Edblom seconded, that a plumbers license be approved for Kyle Ryer dba Ryer Plumbing & Heating, Inc. This license will expire on March 31, 2001. The fee for this license is \$50.00. All voted in favor of the motion.

**GAMBLING LICENSE – MAHA:**

Edblom 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

## REGULAR MEETING – JUNE 5, 2000

the application for a Gambling License for Marshall Amateur Hockey Association for use at the F.O.E. Eagles Aerie #3405, 423 West Main Street, Marshall, Minnesota. All voted in favor of the motion.

### **TRANSIENT MERCHANTS LICENSE – CHRIS MAJZEL:**

Edblom moved, Doyle seconded, that a transient merchants license be approved for Chris Majzel dba Southwestern Company for door to door book sales in the City of Marshall, Minnesota. This license will expire on December 31, 2000. The fee for this license is \$250.00. All voted in favor of the motion, except Boedigheimer who voted no.

### **APPOINTMENTS TO BOARDS AND COMMISSIONS:**

Stores moved, Rowe seconded, that the following appointments, reappointments and readvertising be done for the following boards and commissions:

Airport Commission – reappoint Gary Schmidt for a 3 year term to expire on May 31, 2003; appoint Robert Meyer Jr., for a 3 year term to expire on May 31, 2003 and to readvertise for one position.

Cable Commission – Peg Cline be reappointed for 3-year term to expire on May 31, 2003 and to readvertise for one position.

Hospital Board – Art Olson be reappointed for a 5-year term to expire on May 31, 2005, Colleen Thompson be appointed for a 5-year term to expire on May 31, 2005, and to readvertise for one position.

Housing Commission – Dale Janiszeski be appointed for a 5-year term to expire on May 31, 2005.

Human Rights Commission – readvertise for two positions.

Planning Commission – David Sturrock and Molly Linstrom both be reappointed for 3-year terms to expire on May 31, 2003, and to readvertise for one position.

Police Civil Service Commission – appoint Tammy VanOverbeke for a 3-year term to expire on May 31, 2003.

Senior Center Commission – H. Clyde Pederson be reappointed for a 3-year term to expire on May 31, 2003, and to readvertise for one position.

Utilities Commission – John Glasgow be appointed for a 5-year term to expire on May 31, 2005.

All voted in favor of the motion.

### **MAYOR AND COUNCILMEMBER REPORTS:**

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

Stores            Community Services Advisory Board will hold a Strategic Planning meeting on Wednesday, June 7, 2000.

Edblom           Cable Commission and Planning Commission will be holding their meetings next week; Utilities Commission did have a meeting and had a public hearing where they were considering a 5.5% increase in the water rates but did approve a 4% increase which is

## REGULAR MEETING – JUNE 5, 2000

effective 30 days from the hearing date; Ways and Means Committee and Personnel Committee will need to set a date for a meeting.

- Boedigheimer Airport Commission minutes are included in the agenda packet; Senior Citizen Commission did not meet; and the Lyon County Enterprise Development did met this past Tuesday in Cottonwood – there is a lot of activity happening with this group and the coordinator is doing a good job.
- Doyle Housing Commission minutes are included in the agenda packet; Humans Right Commission minutes are also in the packet and the council is asked to pay particular attention the comments in regard to Carol Marshall; the EDA minutes are included in the agenda packet and at their most recent meeting there was a discussion on affordable housing at the Village Park.
- Rowe Insurance Advisory Committee has not meet; the Library Board will be meeting next week; the Legislative and Ordinance Committee will be meeting on Tuesday, June 6<sup>th</sup> at 4:30 P.M. and the M.E.R.I.T. Committee has had a couple of meetings and they are continuing to work on refining the costs as it relates to the fire training tower. In order for this project to be feasible the training tower needs to be 5 stories.
- Reynolds Hospital Board met on May 15<sup>th</sup> and they did have an open house celebrating 50 years.

### COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Councilmembers included: a concern in regard to the control on the diversion channel for the water to be diverted down the Redwood River. Per City Engineer/Public Works Director Keith Nelson, the Redwood River that flows through downtown is designed to handle 1/3 of the flow and the balance is to flow down the diversion channel. As it relates to the control on the diversion channel this will be discussed with the Corp of Engineers as the project is completed. Mayor Byrnes was not in attendance at the meeting since he was in Washington DC receiving a special award from the Commissioner of Agriculture. A concern was expressed with erosion control along the Redwood River as it flows through the City of Marshall and that the city should be addressing concerns as to how approach this in the future. A question was raised in regard to Channel Parkway being closed and the council was informed that this is closed at this time due to improvements being done to the Parkway Addition. The storm sewer on Hill Street near the nursing home was discussed. Mr. Nelson indicated that improvements to the system are on a list of potential future projects. Councilperson Rowe expressed the importance of the council members to contact community members who would be good candidates to serve on the various city boards and commissions. The driveway approach to Liberty Park along East College Drive has been removed and the curb and gutter has been installed. Councilperson Rowe, City Attorney Murphy, City Administrator Johnson, and Mark Jorgensen County Administrator, have meet with the Humane Society to address the short term and long term solution to the concerns with the noise from the animal impound center.

### BILLS/PROJECT PAYMENTS:

Edblom moved, Doyle seconded, and it was unanimously approved that the following bills/project payments be authorized for payment: ACCOUNTS PAYABLE: Voucher No. 24111 through 24289.

### BUILDING PERMITS:

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

REGULAR MEETING – JUNE 5, 2000

	Applicant	Location Address	Description of Work	Valuation
1.	KHC Construction Co.	703 Ontario Road	Remodel Office	\$500
2.	True Value Home Center	401 South Bruce Street	Dwelling	\$170,000
3.	Shawn & Nancy Hedman	111 George Street	Demolish Deck	\$0
4.	True Value Home Center	108 South 5th Street	Reroof Apartment Buildings	\$14,000
5.	Chad Kulla	318 South 6th Street	Reside Dwelling	\$1,500
6.	Hiskin Construction, Inc.	902 North 4th Street	Reroof Dwelling & Deck	\$6,500
7.	Robert Blomme	312 Walnut Street	Remodel Bathroom	\$1,200
8.	Bruce Wittrock	601 Hudson Avenue	Replace Steps	\$400
9.	Kesteloot Construction, Inc.	110 "E" Street	Reside Dwelling	\$5,600
10.	Dulas Construction	1403 West College Drive	Reroof	\$19,200
11.	Ronald & Donna Schilling	200 East College Drive	Install Door	\$400
12.	Greig & Gregerson	212 West Main Street	Office Remodel	\$2,500
13.	True Value Home Center	1215 Patricia Court	Dwelling	\$150,000
14.	Monica Hoof	412 Legion Field Road	Deck	\$1,000
15.	Mike Buysse Construction	1303 Westwood Drive	Family Room Addition	\$19,000
16.	THROM, LLC	308 Timberlane Drive	Safety Disclosure Improvements	\$1,000
17.	Michael & Debora Schmidt	703 Elaine Avenue	Garage Addition & Three-Season Porch	\$25,000
18.	Randy Hess	601 North Highway 59	Office Remodel	\$1,300
19.	THROM, LLC	308 Timberlane Drive	Manufactured Home Installation	

Director of Public Works/City Engineer Keith Nelson announced his resignation effective July 7, 2000. Mr. Nelson has accepted a position in Winona, Minnesota. Mr. Nelson was thanked for his contributions to the City of Marshall.

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



President Pro-Tem



Financial Director/City Clerk

## REGULAR MEETING – JUNE 19, 2000

The regular meeting of the Common Council of the City of Marshall was held on June 19, 2000 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 and Stores. Absent: Edblom, Reynolds and Boedigheimer. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Thomas Meulebroeck, Finance Director/City Clerk; Rob Yant, Director of Public Services; Dave Marks, Fire Chief; Keith Nelson, Director of Public Works/City Engineer; Kim Jergenson, Assistant Engineer Tech; 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 as presented.

### **APPROVAL OF THE MINUTES:**

Stores moved, Rowe seconded, that the minutes of the regular meeting held on June 5, 2000 be approved as filed with each member and that the reading of the same be waived. All voted in favor.

### **PUBLIC HEARING – SOUTHVIEW DRIVE PROJECT 2000-005:**

This was the date and time set for a public hearing on the proposed assessment for the watermain replacement project no. 2000-005, Southview Drive. Keith Nelson, Director of Public Works/City Engineer, reviewed this project with the council and others in attendance at the meeting. Mr. Nelson indicated that the property owners would be assessed for ½ the cost of this project and the Marshall Municipal Utilities would pay the other ½. Mr. Donald Hay, 302 West Southview Drive, was informed that there were 14 homeowners along Southview Drive that were being assessed for this project. Don Brewers asked how old this watermain was. Mr. Nelson indicated that this watermain was installed in 1970 and is a 6" ductile iron line. Rowe moved, Doyle seconded, the public hearing be closed. All voted in favor of the motion.

Stores moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2239, SECOND SERIES and that the reading of the same be waived. Resolution Number 2239, Second Series is a resolution adopting the assessment for watermain replacement on Southview Drive between 2nd Street and 4<sup>th</sup> Street, Project No. 2000-005. This resolution allows for the assessment to be paid in equal annual installments over 8 years at a rate of 8% per annum effective October 15, 2000. All voted in favor of the motion.

### **PUBLIC HEARING – REDWOOD STREET PROJECT NO. 2000-006:**

This was the date and time set for a public hearing on the proposed assessment for the watermain replacement project no. 2000-006, Redwood Street. Keith Nelson, Director of Public Works/City Engineer, reviewed this project with the council and others in attendance at the meeting. Mr. Nelson indicated that the property owners would be assessed for ½ the cost of this project and the Marshall Municipal Utilities would pay the other ½. Don Brewers indicated that he felt the current watermain should have lasted longer and indicated that it was not installed correctly. Mr. Nelson, indicated that the current watermain is a 6" ductile iron line and that it was installed correctly at the time, but things have changed and improved over the years and they are installed differently now. Norm Carstenson was informed that all the property owners were assessed the same amount. Rowe moved, Doyle seconded, the public hearing be closed. All voted in favor of the motion.

Stores moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2240, SECOND SERIES and that the reading of the same be waived. Resolution Number 2240, Second Series is a resolution adopting the assessment for watermain replacement on Redwood Street between "B" Street to



REGULAR MEETING – JUNE 19, 2000

Lyon Street, Project No. 2000-006. This resolution allows for the assessment to be paid in equal annual installments over 8 years at a rate of 8% per annum effective October 15, 2000. All voted in favor of the motion.

**AWARD OF BIDS – LUCILLE STREET PROJECT NO. 2000-008:**

Bids were received, opened and read on April 5, 2000 for the Lucille Street Improvement Project No. 2000-008 which is the replacement of watermain, curb & gutter, and sidewalk. One bid was received from Bartz Excavating Inc., in the amount of \$52,397.20. Doyle moved, Stores seconded, the adoption of RESOLUTION NUMBER 2241, SECOND SERIES and that the reading of the same be waived. Resolution Number 2241, Second Series is a resolution Accepting the Bid for Project 2000-008 for the improvements to Lucille Street between 4<sup>th</sup> Street and 2<sup>nd</sup> Street by curb & gutter, sidewalk and watermain replacement. This bid was awarded to Bartz Excavating Inc., in the amount of \$52,397.20. All voted in favor of the motion.

**CONSENT AGENDA – PRIMARY & GENERAL ELECTION; BEER LICENSE; APPOINTMENT OF COMMISSIONERS TO HRA:**

Rowe moved, Stores seconded, the adoption of RESOLUTION NUMBER 2242, SECOND SERIES and that the reading of the same be waived. Resolution Number 2242, Second Series is a resolution designating the polling locations, authorizing appointment of election judges and setting their rate of pay for the Primary Election on September 12, 2000 and the General Election on November 7, 2000. All voted in favor of the motion.

Rowe moved, Stores seconded, the approval of a temporary on-sale non-intoxicating beer license for the Marshall Area Chamber of Commerce for an Ag-Fest Pork Chop and Steak Feed at the Lyon County Fairgrounds on July 31, 2000 from 5:00 P.M. to 10:00 P.M. The fee for this license is \$25.00. All voted in favor of the motion

Rowe moved, Stores, seconded, the adoption of RESOLUTION NUMBER 2243, SECOND SERIES and that the reading of the same be waived. Resolution Number 2243, Second Series is a resolution approving the re-appointment of Commissioners to the Housing and Redevelopment Authority in and for the City of Marshall. This resolution provides that Robert Byrnes and Maureen Stores be reappointed as Commissioners to the Housing and Redevelopment Authority for a 5 year term to expire on May 31, 2005. All voted in favor of the motion.

**BOARD AND COMMISSION MEMBER RECOGNITION:**

At this time the City Council took the opportunity to recognize community residents for their contributions and time provided to the various boards and commissions. The following members were recognized:

Mark Buss, Airport Commission, 1993-2000  
Michael Anderson, Airport Commission, 1997-2000  
Andy Hedlin, Cable Commission, 1995-2000  
Steven Strautz, Hospital Board, 1995-2000  
Doug Hamilton, Police Commission, 1995-2000  
Cindy Olson, Senior Citizen Center Commission, 1997-2000

The following members were present at the meeting to receive their recognition:

Donald Kinker, Hospital Board, 1995-2000  
Robert Manke, Housing Commission, 1990-2000  
Karen Mullin, Human Rights Commission, 1996-2000  
Mark Veglahn, Planning Commission, 1995-2000  
Gary Becker, Utilities Commission, 1995-2000

**LIBRARY UPDATE:**

At this time Richard MacDonald, Director of Marshall Lyon County Library, was in attendance at the meeting to provide the council and others in attendance an update of the activities of the library. He indicated that they have been adding more shelving and moving books around; they are hold a summer internet program; a summer reading program; and they are in the process of reviewing their policies. The library will be closed the last week in August to install new carpet.

**CONDITIONAL USE PERMIT – DUANE ANDERSON:**

Upon the recommendation of the Planning Commission, Stores moved, Doyle seconded, the approval of a five-year renewal of a Conditional Use Permit for a home occupation for an accounting and business consulting business for Duane J. Anderson at 1303 Westwood Drive. The hours for this business shall be between 6:00 A.M. and 10:00 P.M. only. All voted in favor of the motion.

**CONDITIONAL USE PERMIT – GWEN VANKEULEN:**

Upon the recommendation of the Planning Commission, Doyle moved, Stores seconded, that Gwen VanKeulen be granted a Conditional Use Permit for a child daycare facility in an R-1 One Family Residence District at 1400 South Saratoga Street, the New Thresholds of Faith Church building. This permit is issued contingent on the owner having a valid program license from the State of Minnesota Department of Human Services. All voted in favor of the motion.

**FINAL PLAT – PARKWAY ADDITION:**

Keith Nelson, Director of Public Works/City Engineer, indicated that the drainage area would be a grass field approximately the size of a soccer field. Rowe moved, Stores seconded, the adoption of RESOLUTION NUMBER 2244, SECOND SERIES and that the reading of the same be waived. Resolution Number 2244, Second Series is a resolution Approving the Final Plat of Parkway Addition. All voted in favor of the motion.

**REZONE PARKWAY ADDITION:**

Doyle moved, Rowe seconded, the introduction of an ordinance Amending Chapter 11 of the City Code relating to Zoning. This ordinance provides for Parkway Addition to be rezoned from R-1 (One Family Residence District) and I-1 (General Industrial District) to be rezoned to an R-1 (One Family Residence District), R-2 (One to Four Family Residence District) and R-4 (Higher Density-Multiple Family Residence District). The public hearing will be held at 7:30 P.M. on Monday, July 3, 2000. All voted in favor of the motion.

**PRELIMINARY PLAT – TECHNOLOGY PARK ADDITION:**

Stores moved, Doyle seconded, the approval of the preliminary plat for Technology Park Addition which is a development by the City of Marshall. Improvements are under construction and Lots 1 & 12 of Block 3; and Lots 1 & 2 of Block 2 will be available for sale upon completion of these improvements. The remaining lots will be completed at a future date. Outlot A will serve as a storm water retention pond and park-like area for the tenants of the development. All voted in favor of the motion.

**REZONE TECHNOLOGY PARK ADDITION:**

Keith Nelson, Director of Public Works/City Engineer, reviewed the request to rezone Technology Park Addition from I-1 (Limited Industrial Park) and I-2 (General Industrial District) to I-1 (Limited Industrial District). Tom Osterberg, Group II Architects, indicated that this addition would be limited to the kind of industry that would be allowed. Stores moved, Doyle seconded, the introduction of an ordinance Amending Chapter 11 of the City Code Relating to Zoning for the Technology Park

REGULAR MEETING – JUNE 19, 2000

Addition. The public hearing will be at 7:30 P.M. on Monday, July 3, 2000. All voted in favor of the motion.

**FINAL PLAT – CHAD'S ADDITION:**

Rowe moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2245, SECOND SERIES and that the reading of the same be waived. Resolution Number 2245, Second Series is a resolution Approving the Final Plat for Chad's Addition. All voted in favor of the motion.

**AMEND ASSESSMENT ROLL – CHAD'S ADDITION:**

Stores moved, Rowe seconded, the adoption of RESOLUTION NUMBER 2246, SECOND SERIES and that the reading of the same be waived. Resolution Number 2246, Second Series is a resolution Amending Resolution Number 2223, Second Series Adopting Assessment for Genesis Avenue Improvement Project No. 2000-003. This resolution allows for the assessment to be paid in equal annual installments over 8 years at a rate of 8% per annum effective October 15, 2000. All voted in favor of the motion.

**ACCEPTING BID PROJECT 2000-003 GENESIS AVENUE IMPROVEMENT:**

Bids were received, opened and read for Project No. 2000-003 for the improvements of grading, asphalt surfacing, curb and gutter, storm sewer, sanitary sewer and water improvements on Genesis Avenue from County Road 67 to Scott Street in Chad's Addition. Bids received, opened and read were as follows:

H & W Contracting, LLC  
Sioux Falls, South Dakota  
\$339,767.42

MidStates Utilities  
Slayton, Minnesota  
\$340,857.90

Quam Construction Co., Inc.  
Willmar, Minnesota  
\$342,316.90

McLaughlin & Schulz, Inc.  
Marshall, Minnesota  
\$345,165.34

Gaub, Inc.  
Olivia, Minnesota  
\$351,096.00

Keith Nelson, Director of Public Works/City Engineer, indicated to the council that waivers were sent to the property owners in Chad's Addition requesting that they waive the 30-day appeal period due to the fact that the assessments were being reduced. Three of the waivers have not been returned. Rowe moved, Stores seconded, the adoption of RESOLUTION NUMBER 2247, SECOND SERIES and that the reading of the same be waived. Resolution Number 2247, Second Series is a resolution Accepting the Bid for Project No. 2000-003 for the improvements of grading, asphalt surfacing, curb and gutter, storm sewer, sanitary sewer and water improvements on Genesis Avenue from County Road 67 to Scott Street in Chad's Addition. This bid is awarded to H & W Contracting, LLC, Sioux Falls, South Dakota in the amount of \$339,767.42. All voted in favor of the motion.

**REQUEST TO OCCUPY PUBLIC RIGHT-OF-WAY – 400 EAST MAIN STREET:**

Stores moved, Doyle seconded, that Kevin Reese, 400 East Main Street, be granted permission to occupy the public right of way along "C" Street. This will allow Mr. Reese to construct a retaining wall adjacent to the newly constructed sidewalk. This wall will be 4'-10" into the right of way. The City of Marshall will pay a maximum of \$1,500 for purchase of landscape blocking plus the City will provide two of its existing ash trees for planting on the 400 East Main Street property. The City will retain the right to removal the retaining wall or to occupy all right of way, including the area behind the retaining wall, without compensation to the adjacent property owner. All voted in favor of the motion.

**CHANGE ORDER NO. 1 – PROJECT 1998-002 1999 INDUSTRIAL PARK IMPROVEMENT:**

Doyle moved, Stores seconded, the approval of Change Order no. 1 for the 1999 Industrial Park Improvement Project 1998-002. This change order provides for changes to street opening and sewer lines to accommodate the housing addition being constructed in Parkway Housing Addition. This change order provides for an increase of \$11,770.00. All voted in favor of the motion.

**DECLARING COST TO BE ASSESSED – 411 WEST LYON STREET:**

Stores moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2248, SECOND SERIES and that the reading of the same be waived. Resolution Number 2248, Second Series is a resolution declaring the cost to be assessed and ordering preparation of proposed assessment for the curb & gutter and sidewalk at 411 West Lyon Street. This resolution provides for the assessments to be payable in equal annual installments over 8 years at 8% interest. All voted in favor of the motion.

**DECLARING INTENT TO REIMBURSE BONDS BY ASSESSMENT:**

Stores moved, Rowe seconded, the adoption of RESOLUTION NUMBER 2249, SECOND SERIES and that the reading of the same be waived. Resolution Number 2249, Second Series is a resolution Declaring the Official Intent Regarding the Reimbursement of Expenditures with the Proceeds of Tax-Exempt Bonds. This resolution provides for the following projects, or a portion of each project, to be financed by the sale of bonds with repayment coming from assessments:

Project No. 2000-003	Genesis Avenue Improvement Project
Project No. 2000-004	Wilke-Miller-Buesing First Addition Improvement Project
Project No. 2000-005	Southview Drive Watermain Replacement Project
Project No. 2000-006	Redwood Street Watermain Replacement Project
Project No. 2000-008	Lucille Street Improvement Project
Project No. 2000-009	Madrid Area Industrial Park Improvement Project
Project No. 2000-04130	Parkway Housing Addition Improvement Project

All voted in favor of the motion.

**AUTHORIZATION TO ADVERTISE FOR BIDS 2000 BITUMINOUS RESURFACING:**

Doyle moved, Stores seconded, the proper personnel be authorized to advertise for bids for the overlay and sealcoat project for the summer of 2000 road resurfacing work. It is anticipated that the Street Department will spend approximately \$150,000 on street resurfacing. All voted in favor of the motion.

**AUTHORIZATION TO ADVERTISE FOR BIDS FOR FIRE TOWER PROJECT:**

Tom Osterberg, Group II Architects, reviewed with the council and others attendance the proposed fire tower. He indicated that the fire tower needs to be at least 5 stories high in order to serve its purpose. Dave Marks, Fire Chief, indicated that their ladder truck reaches 6 stories and that anything less than 5 stories would not be beneficial. Rowe moved, Stores seconded, the proper city personnel be authorized to advertise for bids for the fire tower project. It was indicated that there was a pre-construction conference last Friday on the Apparatus/Maintenance Storage Facility. All voted in favor of the motion.

Mayor Byrnes called for a 5-minute recess at 8:55 P.M.

**FIRE DEPARTMENT GRASS PICKUP:**

A discussion was held at this time on the grass pickup for the Marshall Volunteer Fire Department. Dave Marks, Fire Chief, expressed his reservations about the utilization of a 1-ton truck

## REGULAR MEETING – JUNE 19, 2000

now used by the Street Department to replace a pickup that was used by the Fire Department as a "Grass-rig" that burned last fall. He has some concerns about the condition of the truck, especially when it would be utilized frequently in a non-paved road, or no-road setting and hauling 250 gallons of water, pumping equipment, gear and several fire fighters. Don Brewster, Assistant Chief, indicated that this truck was too high for easy accessibility and could cause potential injury because of it. Mr. Marks felt that it would be more cost effective to trade in the Street Department truck for a truck that would work better as a grass rig. Rowe moved, Doyle seconded, that quotes be received from the local automotive dealers for a vehicle that meets the specifications for the Fire Department Grass Rig. All voted in favor of the motion.

### **CITY OF MARSHALL AUCTION PROCEDURE:**

Tom Meulebroeck, Finance Director/City Clerk, reviewed with the council the auction procedure that is being proposed. He indicated that the third Thursday in May and in October would be the days for the City of Marshall to hold its public auction to dispose of surplus or abandoned property. He indicated that this would allow the departments the ability to better plan and organize for the auction. Doyle moved, Stores seconded, that the City of Marshall establish the third Thursday in May and October of each year as the date for the City to hold a public auction. All voted in favor of the motion.

### **MAYOR AND COUNCILMEMBERS REPORTS:**

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

- Byrnes        EDA is meeting every two weeks and working very hard on the Parkway Housing Project; Regional Development Commission has hired Craig Malsland and the new director, there will be an open house at the Prairie Expo on July 10<sup>th</sup>.
- Stores        Community Services Advisory Board held a meeting on June 7<sup>th</sup> and reviewed their strategic planning process; Downtown Design Committee met on Wednesday – they are discussing the rehabilitation standards for small cities grant process; she visited Little Falls and toured their historic district.
- Doyle        Human Rights Commission met last Monday; Convention and Visitors Bureau will be meeting on Wednesday.
- Rowe        MERIT Committee will be meeting on June 28, 2000; Legislative and Ordinance Committee minutes are included in the agenda packet; Ways & Means Committee minutes are included in the agenda packet; Humane Society met and discussed short term solutions to the impound center.

### **COUNCILPERSON INDIVIDUAL ITEMS:**

Other items of concern brought forth by the Councilmembers included: Duck Days was very successful; the flowers around town look very nice; requests to place benches along the sidewalks downtown need to be approved by the city council; the awards for the boards and commission members should be the first item on the agenda; the dry pond along Hudson and 4<sup>th</sup> Street is a private area and does not have drain tile or an outlet; a meeting needs to be scheduled with Lyon County and the Utilities; the council needs to hold a retreat before the budget process starts; the council requested the minutes of the Community Center Planning Committee be available before the July 10 meeting; the owners on the property other side of the railroad tracks from the Technology Park Addition are interested in being connected to the sanitary sewer and doing this project on their own; the Street Department has completed the replacement of sidewalks in the downtown area.

# REGULAR MEETING – JUNE 19, 2000

## REVIEW OF PENDING AGENDA ITEMS:

A joint meeting of the Library/County/City needs to be scheduled; the City Code is being printed; the downtown park acquisition property and the annexation of the SW Coaches property along County Road 7 need to be added to the list of pending agenda items.

## BILLS/PROJECT PAYMENTS:

Stores moved, Rowe seconded, and it was unanimously approved that the following bills/project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 24290 through 24546.

## BUILDING PERMITS:

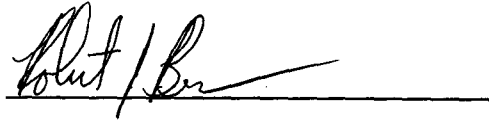
The following building permits previously approved by the Building Official were confirmed.

	Applicant	Location Address	Description of Work	Valuation
1.	Hiller Development Co.	1104 Devito Street & 1102 Indiana Jones Avenue	Two-Family Dwelling	\$175,000
2.	Geske Building & Supply Co.	305 George Street	Siding & Install Window	\$9,000
3.	Jason J. Kopitski	203 North Hill Street	Deck	\$3,500
4.	Randy Gaffney	1102 Cheryl Avenue	Replace Steps	\$300
5.	Karen & Andy Love	700 South Bend Avenue	Egress Windows	\$2,000
6.	Marvin Davis	609 Winifred Drive	Reside Dwelling & Garage	\$5,000
7.	James & Mary Mortland II	1308 Horizon Drive	Deck	\$1,500
8.	Pride Neon, Inc.	910 East Main Street	Install Signs	\$7,800
9.	Schlenner Construction Co.	1113 Jefferson Avenue	Reside Dwelling & Dwelling Addition	\$26,000
10.	Linda Lindsay	631 Soucy Drive	Deck	\$1,400
11.	French Construction	206 DeSchepper Street	Install Window	\$1,200
12.	Lawrence & Dorothy Marco	603 South 1st Street	Reside Dwelling & Replace Windows	\$7,500
13.	Babcock Construction	621 West Southview Drive	Install Windows	\$900
14.	Jeff Kuiper	300 Elaine Avenue	Family Room Addition	\$15,000
15.	Schwan's Sales Enterprises, Inc.	214 South 1st Street	Demolish Dwelling	\$0
16.	Bladholm Construction, Inc.	1001 W. Erie Road	Apparatus Building	\$601,100
17.	Dan Wyffels	307 East Main Street	Reside Dwelling	\$1,500
18.	French Construction	901 North 4th Street	Bathroom Remodel	\$1,000
19.	Paxton Signs, Inc.	430 West Main Street	Install Signs	\$400
20.	Paxton Signs, Inc.	201 West Main Street	Install Signs	\$400

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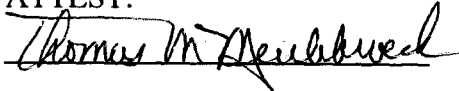
There will be ribbon-cutting ceremony at 9:00 A.M. on Tuesday, June 20, 2000 for the new Hy-Vee Store.

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

A handwritten signature in cursive script, appearing to read "Robert B.", is written over a horizontal line.

Mayor of the City of Marshall

ATTEST:

A handwritten signature in cursive script, appearing to read "Thomas M. Deubner", is written over a horizontal line.

Finance Director/City Clerk

## REGULAR MEETING – JULY 3, 2000

The regular meeting of the Common Council of the City of Marshall was held on July 3, 2000 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: Keith Nelson, Director of Public Works/City Engineer; Thomas 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 City Council 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 19, 2000 be approved with the correction to the motion for the Conditional Use Permit granted to Gwen VanKeulen and as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

### **PUBLIC HEARING – REZONE PARKWAY ADDITION:**

This was the date and time set for a public hearing on the rezoning of Parkway Addition. Keith Nelson, Director of Public Works/City Engineer provided a map and reviewed the area being requested for rezoning with the city council. He indicated this area is proposed to be rezoned from I-2 (General Industrial District) to R-1 (One Family Residence District), R-2 (One to Four Family Residence District), and R-4 (Higher Density-Multiple Family Residence District). It was also indicated that EDA has approved 10 different plans for spec homes to be built in this area through Southwest Housing. There were no objections, 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 434, SECOND SERIES and that the reading of the same be waived. Ordinance Number 434, Second Series is an ordinance rezoning Parkway Addition from I-2 (General Industrial District) to R-1 (One Family Residence District), R-2 (One to Four Family Residence District), and R-4 (Higher Density-Multiple Family Residence District). All voted in favor of the motion.

### **PUBLIC HEARING – TECHNOLOGY PARK PRELIMINARY PLAT:**

This was the date and time set for a public hearing on the preliminary plat for Technology Park Addition. Keith Nelson, Director of Public Works/City Engineer, reviewed the preliminary plat for Technology Park Addition. He indicated that Lots 1 and 2 of Block 3 and Lots 1 & 2 of Block 2 will be available for sale upon completion of the improvements and the remaining lots will be completed at a future date. Gary Christianson, 218 London Road, requested that the adjacent property owners have the opportunity to purchase the property that is adjacent to the back of their lots. Doyle moved, Reynolds seconded, that the public hearing be closed. All voted in favor of the motion.

Boedigheimer moved, Edblom seconded, the approval of the preliminary plat for Technology Park. All voted in favor of the motion.



## REGULAR MEETING – JULY 3, 2000

Boedigheimer moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2250, SECOND SERIES and that the reading of the same be waived. Resolution Number 2250, Second Series is a resolution Approving the Final Plat of Technology Park Addition. All voted in favor of the motion.

### **PUBLIC HEARING – REZONE TECHNOLOGY PARK ADDITION:**

This was the date and time set for a public hearing on the rezoning of Technology Park Addition. Keith Nelson, Director of Public Works/City Engineer, provided a map and reviewed the area being requested to be rezoned with the council. He indicated that this area is currently zoned I-1 (Limited Industrial District) and I-2 (General Industrial District). It is the intent of the City of Marshall to rezone the entire plat to I-1 (Limited Industrial District). Doyle moved, Reynolds seconded, the public hearing be closed. All voted in favor of the motion.

Doyle moved, Reynolds seconded, the adoption of ORDINANCE NUMBER 435, SECOND SERIES and that the reading of the same be waived. Ordinance Number 435, Second Series is an ordinance rezoning the Technology Park Addition from I-1 (Limited Industrial District) and I-2 (General Industrial District) to I-1 (Limited Industrial District). All voted in favor of the motion.

### **CONSENT AGENDA – TRANSIENT MERCHANT LICENSE; AUTHORIZATION TO ATTEND ICMA CONFERENCE; MAYOR/COUNCILMEMBER SALARY; ADVERTISE FOR BIDS:**

It was requested that the transient merchant license be removed from the consent agenda.

Rowe moved, Edblom seconded, that authorization be granted to Michael Johnson to attend the ICMA Conference in Cincinnati, Ohio on September 17-20, 2000. All voted in favor of the motion.

Rowe moved, Edblom seconded, the Mayor/City Council salary compensation review be referred to the Personnel Committee. All voted in favor of the motion.

Rowe moved, Edblom seconded, the proper city personnel be authorized to advertise for bids to purchase of a tractor loader for the municipal airport. All voted in favor of the motion.

Rowe moved, Stores seconded, the approval of a transient merchants license for PCA International, Inc., dba American Studios for Wall\*Mart Portrait Studios. This license will expire on December 31, 2000 and the fee for this license is \$250.00. All voted in favor of the motion, except Boedigheimer who voted no and Doyle who abstained.

### **JOSEPHINE SONSTEGARD TRUST ANNEXATION:**

Edblom moved, Boedigheimer seconded, the introduction of an ordinance Extending the Corporate Limits of the City of Marshall to Include Certain Unincorporated Property Abutting upon the Limits of the City of Marshall. This request is for the Josephine Sonstegard Trust property. The date for the public hearing was set for 7:30 P.M. on August 7, 2000. All voted in favor of the motion.

### **CHANGE ORDER – PROJECT NO. 1999-002 JEWETT STREET:**

Stores moved, Doyle seconded, the approval of change order no. 1 for Project No. 1999-002/S.A.P. 139-127-01 Jewett Street Reconstruction. The change order address the “as build”

## REGULAR MEETING – JULY 3, 2000

quantities and measurements. This change order provides for an increase of \$4,821.09, which is 1.7% of the original contract price. This increase brings the total contract to \$290,169.04. All voted in favor of the motion.

### **CHANGE ORDER – PROJECT NO. 2000-004 WILKE-MILLER-BUESING 1<sup>ST</sup> ADDITION:**

Stores moved, Boedigheimer seconded, the approval of change order no. 1 for Project No. 2000-004 Wilke-Miller-Buesing First Addition. This change order provides for a Geotech Fabric to be used over the substandard areas to prevent settlement problems. The cost for this change order is \$3,052.50. All voted in favor of the motion.

### **REPAIR TENNIS COURTS:**

Discussion was held at this time on the additional cost to repair the tennis courts at Legion Field and also to include the tennis courts at East Side School. In the fall of 1999 C & H Construction quoted a price of \$10,000 to scrape off the loose material and re-color coat the six tennis courts at Legion Field. Since that time the court surface released so badly that before any color coating could be done, the entire surface would have to be hydro-blasted first. This would raise the cost by \$6,500. Mr. Weilage is also requesting that the tennis courts at East Side be repaired at the same time. It was indicated that the total cost for all the tennis courts would be approximately \$24,000. There is \$10,000 in the parks budget for these repairs and a grant in the amount of \$5,000 has been applied for from the United States Tennis Association. If this grant is approved, there will be a shortage of approximately \$9,000. Harry is requesting this to be approved as a capital budget item. Boedigheimer indicated that this is not a capital budget item, but only a maintenance item. There was also a concern as to why there was no previous discussion on the tennis courts at East Side School and why the school and SSU is not paying for part of these repairs. Stores moved, Reynolds seconded, the approval of the repairs for the tennis courts at Legion Field and East Side School and that the additional cost of \$9,000 be taken out of the Community Services Budget. It was suggested that the city, the school and SSU discuss more long-term plans for the tennis courts. All voted in favor of the motion, except Boedigheimer who voted no.

### **APPOINTMENT TO COMMUNITY SERVICES ADVISORY BOARD:**

Stores moved, Reynolds seconded, Jeff Ronning be appointed to the Community Services Advisory Board for a term to expire on February 28, 2003. Mr. Ronning represents the Ministerial Association. All voted in favor of the motion.

### **LEGISLATIVE AND ORDINANCE COMMITTEE:**

Stores moved, Doyle seconded, the introduction of an ordinance Amending the Public Housing Commission of the City of Marshall, Minnesota. This ordinance provides for one of the five members to be an eligible resident. An eligible resident is a person: 1) who is directly assisted by a public housing agency; 2) whose name appears on the lease; and 3) is 18 years of age or older. All voted in favor of the motion.

### **PERSONNEL COMMITTEE:**

Edblom moved, Reynolds seconded, the proper city personnel be authorized to enter into an agreement with Bolton & Menk, Inc., to provide Interim City Engineering Services to the City of Marshall, Minnesota. This agreement is effective July 10, 2000 and will continue to December 31, 2000 or until such time that the City hires a full-time City Engineer. All voted in favor of the motion.

## REGULAR MEETING – JULY 3, 2000

Edblom moved, Stores seconded, the approval of a proposal from Personnel Decisions International (PDI) for the recruitment of a Director of Public Works/City Engineer. The cost for this proposal is \$14,600 and additional expenses such as advertising, telephone, mileage, etc, will be billed at cost and will not exceed \$1,500. All voted in favor of the motion.

### MAYOR AND COUNCILMEMBERS REPORTS:

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

- Byrnes        EDA is continuing to work on the Parkway Housing Project, they have approved the set of covenants, they are recommending a proposal for a professional housing study; Regional Development Commission will hold their annual meeting on July 13, 2000, they have offered the position of executive director to the next candidate, the Prairie Expo will be holding a grand opening on Monday at 1:00 P.M.
- Stores        Downtown Design Committee met on June 21<sup>st</sup>, they have taken a walk tour of the back of the stores in the downtown business district.
- Edblom        Cable Commission and Planning Commission will be meeting soon; Utilities Commission held a special meeting to discuss MCP and several other companies banning together and selling their excess power back, they will be holding their annual meeting on July 12<sup>th</sup>; Ways and Means Committee and Personnel Committee items were previously discussed at the council meeting.
- Boedigheimer No report.
- Doyle        Housing Commission minutes from the last two meetings are included in the agenda packet; Human Rights Commission met and discussed the lack of membership; Convention and Visitors Bureau discussed salary/benefits offered to director.
- Rowe        Library Board will meet next week; Legislative and Ordinance Committee items were previously discussed; MERIT Committee will have ground-breaking the 2<sup>nd</sup> week of August for the Apparatus building and bids for the fire tower will be received on July 18<sup>th</sup>.
- Reynolds     Hospital Board – not able to attend.

### COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Councilmembers include the recognition of the flowers that the businesses have planted in the city and the beautiful appearance that it gives the City of Marshall and that the city needs to advertise for openings on the Boards and Commissions.

REGULAR MEETING – JULY 3, 2000

**BILLS\PROJECT PAYMENTS:**

Edblom moved, Doyle seconded, and it was unanimously approved that the following bills/project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 24547 through 24681.

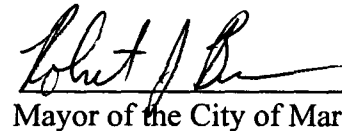
**BUILDING PERMITS:**

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

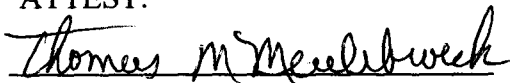
	Applicant	Location Address	Description of Work	Valuation
1.	Independent Lumber of Marshall, Inc.	802 DeSchepper Street	Dwelling	\$150,000
2.	Karl & Shirley Porisch	503 West Soutview Drive	Addition	\$28,600
3.	Dulas Construction	1400 East Lyon Street	Partition Wall	\$6,600
4.	Dulas Construction	301 Baseline Road	Office Walls	\$1,300
5.	Dulas Construction	604 West Michigan Road	Storage Building	\$2,800
6.	The Country Stop	1206 East College Drive	Temporary Structure	\$0
7.	Premier Painting & Construction	612 Kathryn Avenue	Reroof Dwelling	\$5,100
8.	Ken Stellmach	519 Locust Drive	Utility Shed	\$1,900
9.	Eugene Baune	802 Silvervine Drive	Deck	\$2,000
10.	Brian Jones	505 Lawrence Street	Reroof Dwelling	\$3,000
11.	Sussner Construction, Inc.	1632 West College Drive	Demolish Parts Storage Room	\$0
12.	Geske Building & Supply Co.	503 West Thomas Avenue	Reside Dwelling	\$9,000
13.	Shannon Edmundson	303 Lawrence Street	Remodel Garage and Dwelling Interior and Exterior	\$12,000
14.	Mike Buysse Construction	405 Elaine Avenue	Reside Dwelling	\$7,500

Mayor Byrnes, on behalf of the City Council and City of Marshall, took this opportunity to thank Keith Nelson and wished him well at his new job.

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

  
Mayor of the City of Marshall

ATTEST:

  
Finance Director/City Clerk

## SPECIAL MEETING – JULY 10, 2000

A special meeting of the Common Council of the City of Marshall was held on July 10, 2000 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 present included: Michael Johnson, City Administrator; Rob Yant, Director of Public Safety; Harry Weilage, Director of Community Services/ Calvin Barnett, Director of General Services; and Jane DeVries, Deputy City Clerk.

The purpose of this special meeting was to receive a report on the Proposed Community Recreation Facility. Mike Johnson, City Administrator, reviewed with the council and those in attendance the steps that have taken place since 1997 when the Marshall City Council, The Marshall Community School District Board and the Lyon County Board of Commissioners established a Blue Ribbon Committee to consider ways the region and public agencies could work more in support of Marshall's continuing economic growth. From the Blue Ribbon Committee a task force known as the Marshall Action Plan (MAP) Committee was formed to continue to build upon the efforts of the Blue Ribbon Committee. Their goal was to determine ways to increase Marshall's capability to draw new families into the region and improve Marshall's capacity to keep those already here. The MAP Recommendation is:

1. Multi-Purpose Community Center
2. Construct Affordable Housing
3. Revitalize Downtown Marshall
4. Construct a Public Golf Course

From these recommendations an Ad Hoc Community Center Committee was formed with the goal of "identifying and obtaining meaningful community input into the wants, needs, desires and aspirations of community members concerning potential and prospective programming in a community center". The Ad Hoc Committee submitted their report in December, 1999. As a result of the Ad Hoc Committee, report the City Council determined that additional planning/architectural assistance was needed to help refine and define the concept of a community recreation/activities center for the community. The firm of Hammel, Green, and Abrahamson, Inc., (HGA) was selected for the planning/architectural assistance. At this time Mr. Dan Swedberg of HGA provided to the council the final report and a presentation that addresses the scope of services desired by the City for this project.

Steve Titus, Chairman of the Community Services Board, took this opportunity to also review the process that has taken place and thanked all the people involved with this process.

Dan Swedberg, HGA, was in attendance at the meeting and provided the council and others in attendance the final report and a presentation on the proposed Community Recreation/Activities Center. Mr. Swedberg indicated that his firm uses a seven step planning process, which consists of:

1. Organize Team – action plan commitment; employee focus groups; stakeholders/potential funders.

## SPECIAL MEETING – JULY 10, 2000

2. Collect and Analyze Data – Ad Hoc Committee; site visit benchmarking; site selection issues; opinion survey; demographics; staff vision.
3. Develop Multiple Options – criteria formulation; multiple options with all variations desired under user features; value point weighing.
4. Evaluate and Refine – plan opinions, evaluation matrix, budget synopsis, and budget development.
5. Estimate Costs and Prioritize – operational costs, cost comparison, projected revenues; predesign/conceptual design.
6. Proposed Facilities Plan – construction methodology; city approval; financing; community review.
7. Implementation – full project design; construction review; operations plan.

Mr. Swedberg provided drawings of each level and reviewed what was being proposed on each level. The proposed Community Recreation/Activities Center will be approximately 70,852 SFG and include the following: gym; track; handball and racquetball; aquatics and equipment including spa/therapy pool; youth recreation and toilet facilities; theater; club locker rooms with steam room and/or sauna; family locker rooms; kitchen/banquet/conference area; fitness/weights and aerobics/ arts and crafts; child care area; men's and women's locker rooms; lobby/lounge/snack bar/offices; and support equipment area. Mr. Swedberg indicated the central atrium space of this design is defined by a barrel vault form on the exterior with multiple glass exterior walls for a sunlit environment. The atrium is strategically located at entry, adjacent to aquatics, main desk and café lounge area, administrative offices, entrance to banqueting area, childcare space, and theater entrance. The atrium lobby area will become a display space for the arts and historical community

Steve Titus, Chairman Community Services Board, took this opportunity to thank Mr. Swedberg for all of his time and hard work in preparing the report on the Proposed Community Recreation/Activities Center for the City of Marshall.

During the question and answer session included the following:

1. The theatre will slope from the back to the stage – the stage will be raised.
2. Parking required by zoning is 150 spaces, but it is proposed that there be 200 parking spaces with an area close by for overflow.
3. The size was compared to Hy-Vee, which is approximately 55,000 square feet.
4. The center is proposed in such a way that there would be room for expansion if so desired.
5. It was suggested that a 10-acre site would be better than a downtown location.
6. Mr. Swedberg indicated that the site should be a minimum of 3 ½ acres with 4 ½ being better to allow for the size of the building, parking and a drive-up area for dropping off users.
7. The security of the artwork in the lobby area needs to be considered.
8. The facility is proposed to have 5 fulltime employees, consisting of 1 manager, 3 assistant managers and 1 receptionist. It was also indicated that in the Lounge/Café area off the lobby should have an information area.
9. The issue of office space rental was not an option at this time.

SPECIAL MEETING – JULY 10, 2000

10. The storage space area needs to be more defined.
11. The childcare area is not to be used as a day care facility. This area is large enough for approximately 15 to 20 children.


Councilperson Boedigheimer was concerned that a 4-acre site would not be large enough if they wanted to expand in the future. He was also concerned about the cost to construct this facility being 10 million dollars and that with the land and land improvements it could cost up to 12 million dollars. Mr. Swedberg indicated that the 10 million dollars includes normal site work, landscaping, and parking lots, but not the purchase price of the land.

Mayor Byrnes indicated that the funding for this facility should come from the private sector and not use taxpayer money for the construction. He indicated that this would take a lot of effort on all of the business and residents of the City of Marshall.

Boedigheimer was concerned with the annual operating costs and that if there was not enough funding from the private sector that the future of the project should be voted on by the general public.

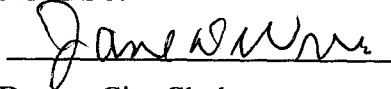
Mike Johnson, City Administrator, indicated that there are a variety of options to generate revenue for the operating costs such as user fees, rental fees and etc.

Upon motions by Stores, seconded by Boedigheimer, the meeting was adjourned. All voted aye.



Mayor of the City of Marshall

ATTEST:



Deputy City Clerk

## REGULAR MEETING – JULY 17, 2000

The regular meeting of the Common Council of the City of Marshall was held on July 17, 2000 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, Edblom, Boedigheimer and Stores. Absent: Doyle and Reynolds. Staff present included: Brian Murphy, City Attorney, Thomas M. Meulebroeck, Finance Director/City Clerk; Rob Yant, Director of Public Safety; Calvin Barnett, Director of General Services/City Assessor; Marc Klaith, Fire Chief; Kim Jergenson, Engineer Tech; 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 the acknowledgement of the new fire chief; item 6a which is the request to close Main Street for Crazy Days; and item 6b which is the awarding of a bid for Weiner Memorial Medical Center.

### **APPROVAL OF THE MINUTES:**

Rowe moved, Edblom seconded, that the minutes of the regular meeting held on July 3, 2000 and the minutes of the special meeting held on July 10, 2000 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 – PARKWAY HOUSING ADDITION PROJECT NO. 2000-40130:**

This was the date and time set for a public hearing on the proposed assessment for the grading, asphalt surfacing, curb & gutter, storm sewer and watermain improvements project no. 2000-40130 Parkway Addition. Kim Jergenson, Engineering Tech, reviewed this project with the council and others in attendance at the meeting. Mr. Jergenson indicated that only one parcel will be assessed in this project. Stores moved, Rowe seconded, the public hearing be closed. All voted in favor of the motion.

Stores moved, Edblom, seconded, the adoption of RESOLUTION NUMBER 2251, SECOND SERIES and that the reading of the same be waived. Resolution Number 2251, Second Series is a resolution adopting the assessment for grading, asphalt surfacing, curb & gutter, storm sewer and watermain improvements to a parcel of land between Legion Field Road, Madrid Street, London Road and Paris Road, Project No. 2000-40130. This resolution allows for the assessment to be paid in equal annual installments over 8 years at a rate of 8% per annum effective October 15, 2000. All voted in favor of the motion.

### **AWARD OF BIDS – PROJECT NO. 2000-011:**

Bids were received, opened and read on July 14, 2000 for Bituminous Resurfacing and Sealcoating on Various City Streets Project No. 2000-011. The bids received, opened and read were as follows:

Central Specialties, Inc.  
Alexandria, Minnesota  
\$138,378.53

Duininck Bros, Inc.  
Prinsburg, Minnesota  
\$150,859.25

McLaughlin & Schulz, Inc.  
Marshall, Minnesota  
\$158,011.50

There was a question on bid of \$0.01 per gallon for the Tankcoat being a correct bid or an error. Boedigheimer moved, Stores seconded, the bid for the Bituminous Resurfacing and Sealcoating on Various City Streets Project No. 2000-011 be awarded to Central Specialties, Inc., Alexandria, Minnesota in the amount of \$138,378.53. All voted in favor of the motion.



**CONSENT AGENDA – TEMPORARY ON-SALE NON-INTOXICATING BEER LICENSE – VFW POST 742; TEMPORARY ON-SALE LIQUOR LICENSE – PRAIRIE HOME HOSPICE:**

Edblom moved, Rowe seconded, the approval of a temporary on-sale non-intoxicating beer license for the Mongeau-Tholen VFW Post 742 for August 10 – 13, 2000 at the Lyon County Fairgrounds. The fee for this license is \$25.00. All voted in favor of the motion.

Edblom moved, Rowe seconded, the approval of a temporary on-sale intoxicating liquor license for Prairie Home Hospice to sell liquor at Southwest State University – Student Center West on January 27, 2001. The fee for this license is \$25.00. All voted in favor of the motion.

**PUBLIC HOUSING COMMISSION ORDINANCE:**

Rowe moved, Stores seconded, the adoption of ORDINANCE NUMBER 436, SECOND SERIES and that the reading of the same be waived. Ordinance Number 436, Second Series is an ordinance Amending the Public Housing Commission of the City of Marshall. This ordinance provides for one of the five members to be an eligible resident. An eligible resident is a person: 1) who is directly assisted by a public housing agency; 2) whose name appears on the lease; and 3) is 18 years of age or older. The ordinance also provides for the appointing authority to actively seek for a period of 30 days, an eligible resident for appointment to the commission. All voted in favor of the motion.

**ACKNOWLEDGEMENT OF FIRE CHIEF:**

Boedigheimer moved, Edblom seconded, the acknowledgment of the Marc Klaith as the new Fire Chief. Marc replaces Dave Marks who retired on July 3, 2000. All voted in favor of the motion.

The council took this opportunity to thank Dave Marks for his many years of services as Fire Chief and wished him well in his new job.

**PURCHASE PICKUP TRUCK FOR FIRE DEPARTMENT:**

Quotes were received for a pickup truck to replace the 1974 GMC grass unit. Quotes were received as follows:

Anton Chevrolet	Tholen Auto Sales
Marshall, Minnesota	Marshall, Minnesota
\$13,691.57	\$10,995.63

Boedigheimer moved, Stores seconded, that the fire department be authorized to purchase a new pickup truck from Tholen Auto Sales, Marshall, Minnesota in the amount of \$10,995.63 and that this is to be paid from the insurance reserve account. This pickup will replace the 1974 GMC Grass unit that was destroyed in a fire. All voted in favor of the motion.

Quotes were received to have the fire department pickup painted the same color as the other vehicles. Quotes were received as follows:

ABRA	Lanoue's Painting Place, Inc.
Marshall, Minnesota	Marshall, Minnesota
\$1,374.80	\$1,818.05

Boedigheimer moved, Edblom seconded, that the fire department be authorized to have the new pickup painted at ABRA in the amount of \$1,374.80 and that this is to be paid from the insurance reserve account. All voted in favor of the motion.

**CLOSING MAIN STREET – CRAZY DAYS:**

Boedigheimer moved, Stores seconded, that Main Street from the Jct. of Highway 19 to North 5<sup>th</sup> Street and Third Street from Lyon Street to Main Street be closed between 6:00 A.M. and 6:00 P.M. on Thursday, July 20, 2000 for Crazy Days. All voted in favor of the motion.

**AWARD BIDS – WEINER MEMORIAL MEDICAL CENTER:**

Richard Slieter, CEO Weiner Memorial Medical Center, was in attendance at the meeting to review with the council the bids that were received for the envelope and canopy work. The bids that were received were from:

Sussner Construction

Marshall, Minnesota

\$298,500 with 120 day completion

Bladholm Construction

Marshall, Minnesota

\$327,300 with 150 day completion

Per the recommendation of Richard Slieter, Boedigheimer moved, Edblom seconded, that the bid be awarded to Sussner Construction, Marshall, Minnesota in the amount of \$298,500. All voted in favor of the motion.

**VARIANCE ADJUSTMENT PERMIT – JASON KOPITSKI:**

Dale Howe, Building Official, reviewed with the council and others in attendance at the meeting the request from Jason Kopitski for a Variance Adjustment Permit for the construction of a utility shed with a rear yard of less than required by ordinance in an R-1 One Family Residence District at 203 North Hill Street. It was indicated that the Planning Commission denied this request as there is ample property (respecting setbacks) on which the building could have been constructed. Edblom indicated that he felt there was not a problem with where the utility shed had been constructed and that there were no comments from the neighbors. Dave Sturrock, Chairman of the Planning Commission, was in attendance at the meeting and indicated that this request was denied because Jason was not able to show undue hardship and he also indicated that the Planning Commission needs to be consistent in considering these requests. Boedigheimer was concerned that this utility shed could later be made into a garage, but it was stated that there is no access to this utility shed from the street. Rowe indicated that undue hardship had not been met. Mr. Kopitski indicated that he was a first time home buyer and was not aware that he needed to have a building permit when he began construction of the utility shed, but that he stop construction when he was informed that he was in violation. Boedigheimer moved, Rowe seconded, that the request for a Variance Adjustment Permit for Jason Kopitski to construct a utility shed at 203 North Hill Street be denied. Stores indicated that there was good use of the lot and that there were no problems with the neighbors. Rowe and Boedigheimer voted in favor of the motion. Edblom, Stores and Byrnes voted no. This motion was defeated. Boedigheimer moved, Byrnes seconded, that the request for a Variance Adjustment Permit for Jason Kopitski to construct a utility shed at 203 North Hill Street be referred back to the Planning Commission. Edblom questioned the 60-day time limit to act on this item. Mr. Kopitski indicated that he would waive the 60-day time limit. Byrnes and Boedigheimer voted in favor of the motion. Edblom, Rowe and Stores voted no. The motion was defeated. Edblom moved, Stores seconded, the request for a Variance Adjustment Permit for Jason Kopitski to construct a utility shed at 203 North Hill Street be approved. Stores, Byrnes and Edblom voted in favor of the motion. Boedigheimer and Rowe voted no.

**CONDITIONAL USE PERMIT – ALBERT EGGERMONT JR.:**

Upon the recommendation of the Planning Commission, Boedigheimer moved, Edblom seconded, that a Conditional Use Permit for Albert Eggermont Jr. for a four-unit apartment in a B-3 General Business District at 1221 East College Drive be approved. This Conditional Use Permit was approved with the following conditions:

1. The permit be issued for the second story units and not be transferable to any other location within the building.
2. The permit would not be transferable to a new building constructed at this location.
3. The items listed on the June 29, 2000 inspection report be corrected within 90 days of this permit approval by the City Council.

## REGULAR MEETING – JULY 17, 2000

4. Due to the zero lot line construction of the building, any room that is required to have a window to the outside for safety or sanitation that may be closed for any reason in the future would render that room and/or dwelling unit unusable as an apartment.

All voted in favor of the motion.

### **VARIANCE ADJUSTMENT PERMIT – LYON COUNTY:**

Upon the recommendation of the Planning Commission, Boedigheimer moved, Edblom seconded, the approval of the request of Lyon County, Minnesota for a Variance Adjustment Permit for a front yard setback of 9 feet in lieu of 25 feet on Superior Road as required by Ordinance in an I-2 General Industrial District at 610 West Erie Road for construction of a loading dock. All voted in favor of the motion.

### **RESOLUTION AMENDING ASSESSMENT ROLL – PROJECT NO. 2000-008:**

Edblom moved, Stores seconded, the adoption of RESOLUTION NUMBER 2252, SECOND SERIES and that the reading of the same be waived. Resolution Number 2252, Second Series is a resolution Amending the Assessment Roll for Project 2000-008, Lucille Street Improvement. This resolution provides for a reduction to Parcel No. 27-409007-0 from \$3,709.66 to \$1,348.20 for the deletion of the sidewalk and curb & gutter abutting this parcel. The contract for this project will be reduced by the number of lineal feet for Parcel No. 27-409007-0. All voted in favor of the motion.

### **UNITED STATES POSTAL SERVICE SITE SELECTION:**

The United States Postal Service informed the City of Marshall that they have selected the property located at the northwest corner of the intersection of Sherman Avenue and East Lyon Street for the new Marshall Post Office. The council was concerned about the increase in the traffic and the safety of the school children. It was indicated that the old building would be for sale at market value to government agencies first and then to the general public. The council did not take any action on this item.

### **ENGINEERING SERVICES WITH TKDA & ASSOCIATES:**

Boedigheimer moved, Stores seconded, the proper city personnel be authorized to enter into an agreement with TKDA & Associates for Engineering Services for Terminal Area Development (Project Formulation). The basis for the services is to work with the Marshall Airport Commission, the Fixed Base Operator and various users at the Airport to determine possible planning opportunities for the terminal area development. All voted in favor of the motion.

### **SALARIES AND COMPENSATION – MAYOR AND COUNCILPERSONS:**

Edblom moved, Stores seconded, the introduction of an Ordinance Amending the Salaries and Compensation of the Mayor and Councilpersons of the City of Marshall. This ordinance provides for a 3% adjustment effective January 1, 2001. All voted in favor of the motion.

### **MAYOR AND COUNCILMEMBER REPORTS:**

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

Byrnes            EDA met last week and discussed the details on the housing project- bids will be received in August for the houses and the townhouse unit; Fire Relief Association

## REGULAR MEETING – JULY 17, 2000

is working on schedule 1, 2 and 3 with the accountant; Regional Development Commission held their annual meeting last Thursday.

Stores Community Services Board did not meet in July; Downtown Steering Committee met and indicated that the design work is complete for the downtown area.

Edblom Cable Commission will meet on Tuesday; Planning Commission items were previously acted on by the Council; Ways and Means Committee will meet on Thursday – the Wastewater Rate Study is complete and needs to be reviewed; Personnel Committee needs to meet in the near future;

Boedigheimer Senior Citizen Center Commission will meet on Wednesday; Lyon County Enterprise Development, Jt. LEC and Public Improvement/Transportation Committee has not met.

Rowe Insurance Advisory Committee, Legislative & Ordinance Committee and MERIT Committee have not met; Library Board discussed the policy of use of the internet and there will be a joint meeting with the city and county at 7:00 A.M. on July 25, 2000.

### COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Councilmembers included the magic show at the library on Thursday; the building officials office needs to inspect the safety of homes that do not look livable; the 4<sup>th</sup> of July Celebration was a success and the fire works were great; budget requests from the staff need to be started; the traffic light on “C” Street is installed; there was a concern about property owners taking care of their property on both sides of their fences; there will be a budget retreat on August 1<sup>st</sup>; the Chamber of Commerce will be holding a public meeting on Tuesday at 7:00 P.M. at the Best Western on the proposed community center.

### BILLS/PROJECT PAYMENTS:

Edblom moved, Stores seconded, and it was unanimously approved that the following bills/project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 24682 through 24899.

### BUILDING PERMITS:

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

	Applicant	Location Address	Description of Work	Valuation
1.	Randy & Kelly Hansen	510 Kendall Street	Interior Remodel	\$600
2.	JAG Properties	1210 East College Drive	Interior Remodel	\$2,500
3.	Babcock Construction	1004 Columbine Drive	Reside Dwelling	\$4,000
4.	Dennis Lozinski	405 Lawrence Street	Reroofing	\$1,900
5.	Blia-Thae Moua	1229 East Fairview Street	Residing and Install Windows	\$8,000
6.	William Keehr	1001 Emerald Court, Apartment A	Basement Remodel	\$2,000
7.	French Construction	410 West Elm Street	Kitchen Remodel	\$1,900


# REGULAR MEETING – JULY 17, 2000

8.	Bakke's Home Repair & Construction	600 / 602 South 1st Street	Install Windows	\$1,800
9.	Hiller Development Co.	1105 Indiana Jones Avenue	Dwelling	\$160,000
10.	Bakke's Home Repair & Construction	611 Winifred Drive	Replace Front Stoop	\$1,000
11.	Larry Hyatt	620 West Main Street	Bathroom Remodel	\$300
12.	Michael & Beth Soupir	601 Kennedy Street	Install Windows	\$1,200
13.	Babcock Construction	306 South 1st Street	Install Doors	\$800
14.	Premier Painting & Construction	1104 East Main Street	Reroof	\$3,500
15.	Dennis Lozinski	204 South 5th Street	Reroof	\$2,500
16.	Burton Hill	317 Timberlane Drive	Manufactured Home Installation	

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

  
 Mayor of the City of Marshall

ATTEST:

  
 Finance Director/City Clerk

## **SPECIAL MEETING – JULY 31, 2000**

A special meeting of the Common Council of the City Council of the City of Marshall was held on July 31, 2000 at the Marshall Golf Club. The meeting was called to order by Mayor Byrnes. In addition to Byrnes the following members were present: Rowe, Edblom, Boedigheimer, Reynolds and Stores. Absent: Doyle. Staff present included: Michael Johnson, City Administrator; Harry Weilage, Director of Community Services and Jane DeVries, Deputy City Clerk. County Commissioners present were: Bob Fenske, Clarence Buysse, Jasper Vandelanotte, Jerry Gladis and Mark Goodenow. County staff included: Rick Maes, Attorney; Don Stokke, Sheriff; Dean Champine, Assessor; Todd Hammer, Planning & Zoning; Mark Jorgensen, Administrator; and Steve Johnson, Lyon County Highway Department.

The purpose of this meeting was for the City of Marshall and Lyon County to update each other on projects and issues that involve both entities.

### **2001 LIBRARY BUDGET:**

Ted Rowe reviewed the 2001 budget for the Marshall Lyon County Library and indicated there will be a 3% increase over the 2000 budget.

### **COUNTY ROAD 33:**

Steve Johnson reviewed the County Road 33 Project. He indicated that they are continuing to work with Locher Brothers on the loading docks. Bids for County Road 33 Project will be let in 2000 with the work being completed in 2001. Part of the project includes turn lanes on Highway 23 and County Road 33.

### **HOUSING DEVELOPMENT:**

Mike Johnson reported on the status of the Parkway Housing Addition through EDA. Bids will be received in August for the 18 townhomes and for 10 spec homes. There will also be other lots available for single family homes.

### **JAIL PROJECT STATUS:**

Mark Jorgensen reported on the status of the jail programming and analysis. There will be 70-80 beds, which is projected to be adequate for the next 20 years. This facility will be between the Courthouse and the current jail. Construction should begin in 2001 with completion in 2002. Currently Lyon County is transporting prisoners to other locations.

A break was taken at this time for the evening meal.

At this time Mike Johnson, City Administrator, briefly reviewed the Profile Report – 1999 Applied Geographic Solutions Inc., information that was included in the agenda packet.

### **TELECOMMUNICATIONS:**

Harry Weilage took this opportunity to update the city council and county commissioners on the telecommunication technology within the City of Marshall. He referred to an article in the Minneapolis Tribune from this past weekend. He also indicated that there is competition in this area and that the T & T Report for the 18 counties will be available in August.

**FUTURE CITY/SCHOOL/COUNTY/COLLEGE RECREATIONAL OPPORTUNITIES:**

Mr. Weilage informed the city council and county commissioners that grant money is available recreational opportunities. He indicated that this grant money needs to be applied for by August 15, 2000 and that it would be used for soccer fields, public golf course and a 2<sup>nd</sup> sheet of ice for hockey. This will be a joint venture between the City, County, Marshall Public School and SSU. Each entity needs to make a commitment of \$100,000 for the next two years (\$50,000 each year).

**COMMUNITY CENTER PROJECT:**

Harry Weilage reviewed the events that have taken place to date on the proposed community center project. There will be a committee meeting on Wednesday, August 2, 2000 to discuss fundraising. The community center will primarily serve a 50-mile radius of Marshall.

**JOINT PLANNING AND ZONING:**

Todd Hammer, Planning and Zoning of Lyon County, updated the city council and county commissioners on the proposed housing projects between the City of Marshall and the City of Lynd. It was indicated that there is the issue of sewer in this area and that water will be available through the rural water system, but that rural water is not adequately sized for fire protection. It was indicated that the Klein addition is privately owned and that they are responsible for their own street maintenance, street lighting and etc. It was suggested that there be a joint meeting of the Marshall City Planning Commission and the Lyon County Planning Commission to review the zoning and land use of Lyon County.

**ANIMAL IMPOUND CENTER AND HUMANE SOCIETY SERVICES:**

Discussion was held on the Animal Impound Center and the need to move the center due to the noise issue. Boedigheimer indicated that when the animal impound center was first built that there was poor planning and that he does not want this to happen again. County Administrator Mark Jorgenson indicated that the county is working with the other communities in Lyon County to get them to pay their fair share for an impound center.

**M.E.R.I.T. CENTER:**

The Apparatus Storage/Maintenance Facility is under construction and should be complete next spring. Bids have been taken on the 5 story Fire Tower and will be awarded soon. This facility should be completed next summer. There is a ground-breaking ceremony scheduled for 11:00 A.M. on August 9, 2000. MMUA did hold training in their facility earlier this year.

**JOINT L.E.C.:**

The Joint Law Enforcement Center is 95.5% complete. There is a need to add air conditioning in the equipment room and they are working on getting software to coordinate the Police Department and Sheriff Department. It was indicated that this project was completed under budget.

SPECIAL MEETING – JULY 31, 2000

**INDUSTRIAL PARK EXPANSION:**

The 20-acre industrial park expansion South of County Road 33 and West of Highway 59 is being completed.

**AIRPORT PLANNING:**

There needs to be a planning session with all of the major users of the Marshall Municipal Airport. Discussion will include a new hangar for the FBO, a new arrival/departure building; and water and sewer to the airport.

**CORPS PROJECT:**

It was indicated that the flood control project should be completed by October 1, 2000.

**CONVENTION AND VISITORS BUREAU:**

Mark Goodenow questioned the support the Convention and Visitors Bureau receives. The Convention and Visitors Bureau receives lodging tax money collected by the City of Marshall.

**LYON COUNTY HISTORICAL SOCIETY MUSEUM:**

The long term and short-term goals of the museum and the staffing are ongoing items for the museum. Their budget for the next year has already been submitted. It was suggested that an increase be made in the director's salary for next year.

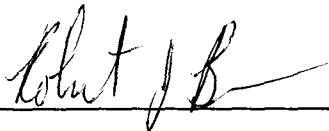
**HUMAN RIGHTS:**

Discussion was held on the possibility of a county wide Human Rights Commission with 1 member from each community and that the meetings be held in different town each time. This would require a budget for training and mileage.

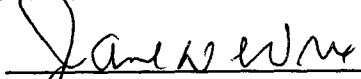
**WEATHER WARNING RADIO:**

It was indicated that the sirens in the City of Marshall are not designed to be heard inside buildings. The county is purchasing and installing a Weather Warning Radio Tower. More information will be made available to the public when this is complete.

It was the general consensus that the meeting be adjourned at approximately 9:10 P.M.

  
\_\_\_\_\_  
Mayor of the City of Marshall

ATTEST:

  
\_\_\_\_\_  
Deputy City Clerk



## SPECIAL MEETING – AUGUST 1, 2000

A special meeting of the Common Council of the City Council of the City of Marshall was held on August 1, 2000 in the Board Room of the Marshall Municipal Utilities Building. The meeting was called to order at 7:10 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Rowe, Edblom, Boedigheimer, Reynolds and Stores. Absent: Doyle. Staff present included: Michael Johnson, City Administrator; Calvin Barnett, Director of General Services/City Assessor; Harry Weilage, Director of Community Services and Jane DeVries, Deputy City Clerk.

The purpose of the meeting was to discuss preliminary 2001 budget key issues, projects and priorities. Mike Johnson, City Administrator, briefly reviewed some 2001 revenues. He indicated that the LGA & HACA State Aid would increase approximately \$74,000; the property tax has no levy limits for 2001 and the MMU transfer would decrease approximately \$7,000. Mike indicated that the \$74,000 increase would be consumed by the wage increase and insurance increase. Rowe questioned the status of the storm water utility. Mr. Johnson indicated that the utilities rates are based on a meter charge and the storm water utility is based on a per parcel. It was indicated that maybe this utility could be included on the tax statement which is done on a per parcel basis. Boedigheimer indicated that the storm water utility ordinance has been on the books for several years and that the city is losing revenue. He felt that this should be handled through the tax statements.

Discussion was held on the Community Issues and Projects at this time:

### **COMMUNITY RECREATION CENTER:**

- A. Private Fund Raising
- B. Site Selection
- C. Entity Oversight
- D. Design

Discussion included operation cost; use fees and the concern that everyone would be able to afford the center; duplication of facilities; not sure that this is the answer to keep and retain families. The option of a city sales tax was discussed to help off set some additional expenses.

### **HOUSING DEVELOPMENT:**

- A. Public (Parkway Addition ) – EDA
- B. Private

Work is progressing in the Parkway Addition. Bids will be taken in August for the houses and the town house.

### **DOWNTOWN REDEVELOPMENT:**

- A. Downtown Design Standards
- B. Downtown Park
- C. "Small Cities" Revitalization Program
- D. Property Acquisitions

The Downtown Design Standards applies to exterior project only; and includes any building in the Downtown District. An update was given on the status of the property acquisitions for the downtown park.

## **SPECIAL MEETING – AUGUST 1, 2000**

### **MERIT CENTER:**

- A. Apparatus Storage/Maintenance Building
- B. 5-Story Training Tower
- C. MMUA Electrical Training

The Apparatus Storage/Maintenance Building construction is progressing; the bids need to be awarded on the 5- Story Training Tower; and MMUA has held training earlier this year in the training center.

### **WASTEWATER IMPROVEMENTS:**

- A. Sludge Storage
- B. Effluent Filters
- C. Rate Study

The design is almost complete for the sludge storage and effluent filters. The Ways and Means Committee will review the rate study at their meeting on Wednesday, August 2, 2000.

### **AIRPORT RELATED PROJECTS:**

- A. Property Acquisitions
- B. Water/Sewer Extension
- C. Planning/Project Implementation for Hangar(s) Construction and New Arrival/Departure Building

There are property acquisitions that need to be completed. Discussion was held on the planning and project implementation of new hangars and arrival/departure building. This project needs to include the City of Marshall, the FOB operator, Schwans and other users of the airport. The water/sewer extension is in the design stage.

### **INDUSTRIAL PARK EXPANSION:**

The north part of the park is complete and the south part should be completed by October 1, 2000. This park is intended for technology type industry.

### **COMMUNITY DEVELOPMENT:**

Land use and zoning around the City of Marshall needs to be reviewed and worked on with the county.

### **PUBLIC WORKS CONSTRUCTION:**

The Kossuth Street and North 7<sup>th</sup> Street Bridge project will be included in next year's budget along with other special assessment projects.

### **CABLE TV FRANCHISE RENEWAL:**

The Cable TV Franchise expires on January 1, 2001.

### **RECREATION OPPORTUNITIES AMONG CITY/COUNTY/SCHOOL/UNIVERSITY:**

Discussion was held on the grant application and the commitment required by the city, county, school, and university. This grant will be used towards soccer field, public golf course and a 2<sup>nd</sup> sheet of ice. There was some concern with adding new projects and not taking care of the current facilities.

SPECIAL MEETING – AUGUST 1, 2000

**ORGANIZATIONAL ACTIVITIES:**

Employee negotiations will be starting for the 4 units, 3 union and 1 non-union. Discussion was also held on the bonding for the projects that were completed this year.

**COMMUNITY/REGIONAL TELECOMMUNICATIONS:**

Harry Weilage briefly reviewed the community/regional telecommunications and referred to an article in the Minneapolis Tribune from this past weekend. He also indicated that there is competition in this area and that the T & T Report for the 18 counties will be available in August.


Other items of discussion included: the Dutch Elm tree removal; funding for Lyon County Habitat for Humanity; special assessment for downtown district for maintenance and/or projects.

The meeting was adjourned at 10:00 P.M.



Mayor of the City of Marshall

ATTEST:

  
Deputy City Clerk

## REGULAR MEETING – AUGUST 7, 2000

The regular meeting of the Common Council of the City of Marshall was held on August 7, 2000 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, Rowe, Edblom, Reynolds, and Boedigheimer. Absent: Byrnes. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Thomas M. Meulebroeck, Finance Director/City Clerk; Harry Weilage, Director of Community Services; Calvin Barnett, Director of General Services/City Assessor; Kim Jergenson, 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 22a which is the consideration of a Mutual Aid Agreement and a Resolution for the Marshall Municipal Utilities to request the Federal Emergency Management Agency (FEMA) for reimbursement costs arising from a city or municipal utility assisting another city/utility.

### APPROVAL OF THE MINUTES:

Boedigheimer moved, Rowe seconded, that the minutes of the regular meeting held on July 17, 2000 and the minutes of the special meeting held on July 31, 2000 and on August 1, 2000 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 Josephine Sonstegard Trust Annexation. The trustee for the trust intends to contract for water and sewer to be extended to serve this property. They have been informed that those costs will be their responsibility and that the work needs to be approved by the city. Rowe moved, Doyle seconded, the public hearing be closed. All voted in favor of the motion.

Edblom moved, Doyle seconded, the adoption of ORDINANCE NUMBER 437, SECOND SERIES and that the reading of the same be waived. Ordinance Number 437, Second Series is an ordinance Extending the Corporate Limits of the City of Marshall to Include Certain Unincorporated Property Abutting upon the Limits of the City of Marshall. This ordinance provides for the property owned by the Josephine Sonstegard Trust to be annexed into the City of Marshall. All voted in favor of the motion.

### AWARD OF BIDS – M.E.R.I.T. CENTER:

Bids were received, opened and read on July 25, 2000 for the Fire Training Tower at the M.E.R.I.T. Center. Bids received, opened and read were as follows:

	Bladholm Const., Inc Marshall, MN	K.H.C. Const., Inc Marshall, MN	Robert L. Carr Company Marshall, MN
Cast-In place Concrete – Base Bid (G)	No Bid	\$343,000	\$378,000
Pre-Cast Concrete – Base Bid Alt. #4	\$398,060	No Bid	No Bid
Exterior Stairway – Alternate #-1 ADD:	\$80,605	\$35,000	\$64,000
Elevator Shaft – Alternate #-2 ADD:	\$22,750	\$12,000	\$24,000
Concrete Apron – Alternate #-3 ADD:	\$82,555	\$63,000	\$72,000

## REGULAR MEETING – AUGUST 7, 2000

Precast Assembly – Alternate #-4 ADD/DED: No Bid		+ \$10,000	No Bid
Addendum #1	x	x	x
Addendum #2	x	x	x
Addendum #3	x	x	x

Rowe moved, Edblom seconded, the contract for the M.E.R.I.T. Project Fire Training Tower be awarded to K.H.C. Construction, Inc., Marshall, Minnesota in the amount of \$390,000 which includes the base bid plus alternate #1, exterior stairway, and alternate #2, elevator shaft. All voted in favor of the motion.

### **AWARD OF BID – PROJECT 2000-005 SOUTHVIEW DRIVE:**

Bids were received, opened and read at 2:00 P.M. on May 1, 2000 for Project 2000-005, Southview Drive Watermain Project. Bids received, opened and read were as follows:

Bartz Excavating	Thompson Excavating
Marshall, Minnesota	Taunton, Minnesota
\$29,469.50	\$26,709.10

Doyle moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2253, SECOND SERIES and that the reading of the same be waived. . Resolution Number 2253, Second Series is a resolution Accepting the Bid for Project 2000-005 for the improvements to Southview Drive between 2<sup>nd</sup> Street and 4<sup>th</sup> Street by watermain replacement. This bid was awarded to Thompson Excavating, Taunton, Minnesota in the amount of \$26,709.10. All voted in favor of the motion.

### **AWARD OF BID – PROJECT 2000-006 REDWOOD STREET:**

Bids were received, opened and read at 2:00 P.M. on May 1, 2000 for Project 2000-006, Redwood Street Watermain Project. Bids received, opened and read were as follows:

Bartz Excavating	Thompson Excavating
Marshall, Minnesota	Taunton, Minnesota
\$35,822.90	\$32,064.95

Edblom moved, Boedigheimer seconded, the adoption of RESOLUTION NUMBER 2254, SECOND SERIES and that the reading of the same be waived. . Resolution Number 2254, Second Series is a resolution Accepting the Bid for Project 2000-006 for the improvements to Redwood Street between "B" Street and Lyon Street by watermain replacement. This bid was awarded to Thompson Excavating, Taunton, Minnesota in the amount of \$32,064.95. All voted in favor of the motion.

### **CONSENT AGENDA – TEMPORARY ON-SALE LIQUOR LICENSE FOR MARSHALL AREA FINE ARTS COUNCIL; APPOINTMENT OF REPLACEMENT POLICE OFFICER:**

Edblom moved, Doyle seconded, the approval of a temporary on-sale liquor license for the Marshall Area Fine Arts Council for an artists' reception to be held at 313 West Main Street on August 19, 2000. The fee for this license is \$25.00. All voted in favor of the motion.

Edblom moved, Doyle seconded, the appointment of Jennifer Diamond as a full time police officer effective August 8, 2000. Jennifer has been a part-time officer since June 5, 2000 and is already a sworn officer and a member of PERA. She will be replacing Mike Serreyn who left the department on May 29, 2000. All voted in favor of the motion.

**JOINT POWERS AGREEMENT WITH SOUTHWEST/WEST CENTRAL COOPERATIVE FOR GROUP INSURANCE POOL:**

Mike Johnson and Brian Murphy responded to Boedigheimer's concerns with the Insurance Advisory Committees concerns on the agreement. Boedigheimer moved, Reynolds seconded, the proper city personnel be authorized to execute a Joint Powers Agreement with Southwest/West Central Cooperative for Group Insurance Pool. All voted in favor of the motion.

**AMENDING THE SALARIES AND COMPENSATION OF MAYOR & COUNCILMEMBERS:**

Edblom moved, Reynolds seconded, the adoption of ORDINANCE NUMBER 438, SECOND SERIES and that the reading of the same be waived. Ordinance Number 438, Second Series is an ordinance Amending the Salaries and Compensations of the Mayor and Councilpersons for the City of Marshall, Minnesota. All voted in favor of the motion.

**REQUEST TO CLOSE THIRD STREET FROM NOVEMBER 27, 2000 TO JANUARY 5, 2001 FOR CHRISTMAS TREE WALK:**

At this time Ellayne Conyers, Lyon County Historical Society, and Nona Sandberg, Schwan's Sales Enterprises, were in attendance at the meeting to request that Third Street be closed between Main and Lyon from November 27, 2000 to January 5, 2001 for a Christmas Tree Walk. There will be 100 live Christmas trees to be decorated by businesses and/or organizations from throughout the city. Schwan's will be purchasing the trees, paying the electricity and any other expenses. They will also be giving out sizable prizes to three top winners for best decorated trees. Proceeds from the entrance fee (\$50) will go to the museum this year. Dr. Affolter, 121 North 3<sup>rd</sup> Street, was concerned with taking away parking on Third Street. Councilperson Boedigheimer suggested using ½ of this area for the first year. There were several issues of concern, which included:

1. Were the business owners who would be affected by this street closing made aware of the request and have they had any input on this specific request.
2. Snow removal and security issues need to be addressed;
3. The ability to get emergency vehicles and personnel to the businesses or properties above the businesses in emergency situations.

Joe Cool indicated that there has been not problem with the Christmas trees in the down town area. Boedigheimer moved, Doyle seconded, that a public hearing be held at 7:30 P.M. on August 21, 2000 to consider this request. All voted in favor of the motion.

**ESTABLISHING A DOWNTOWN DISTRICT REHABILITATION CODE:**

Marcia Rehkamp, Chairperson of the Downtown Design Subcommittee, was in attendance at the meeting to review the proposed downtown commercial rehabilitation ordinance. Mike Johnson, City Administrator, reviewed the map showing the Downtown District, Central Business District and the Small Cities Grant Target Area. Joe Cool questioned if this ordinance was required for the grant. Mr. Johnson indicated that this was not a requirement but that the council wanted it done. There were many questions and concerns on the proposed ordinance. It was indicated that the Downtown Design Subcommittee has been working on making changes to the proposed ordinance. Dr. Affolter felt that this ordinance was not ready for approval. Tracy Veglahn, Marshall Area Chamber of Commerce, reviewed the changes that have been made to the ordinance since the council received their copy. Rowe moved, Reynolds seconded, the introduction of an ordinance Establishing a Downtown District Rehabilitation Code in the City of Marshall, Minnesota and called for a public hearing to be held

## REGULAR MEETING – AUGUST 7, 2000

at 7:30 P.M. on August 21, 2000. All voted in favor of the motion, except Boedigheimer who voted no.

A 5-minute recess was called at this time.

### **LEASE AGREEMENT BETWEEN WEINER MEMORIAL MEDICAL CENTER AND KING'S MEDICAL COMPANY:**

Richard Slieter, Administrator Weiner Memorial Medical Center, was in attendance at the meeting and reviewed with the council the contract that Weiner Memorial Medical Center entered into with King's Medical Company. Under this agreement WWMC provides the building, supplies, and staffing required and King's Medical Company provides the MRI Technology. Reynolds moved, Edblom seconded, that approval be granted by the City of Marshall for Weiner Memorial Medical Center to enter into a lease agreement with King's Medical Company for MRF Services. All voted in favor of the motion.

### **PROJECT 2000-003 GENESIS AVENUE IMPROVEMENT PROJECT – PROPERTY OWNERS OBJECTION TO SIDEWALK CONSTRUCTION:**

Dolly Olson Illies was in attendance at the meeting to speak on behalf of the property owners who are objecting to the sidewalk construction as part of Project 2000-003 Genesis Avenue Improvement. She indicated that there are 4 property owners who do not want sidewalks due to the fact that their lots are already established and they would lose part of their lots, the costs of installing the sidewalks and the maintenance that will be required. Mr. Murphy indicated that the city has the right to put sidewalks in and that it can be assessed through the 429 process. Boedigheimer indicated that the subdivision ordinance requires sidewalks and that a gap cannot be left between additions. It was also indicated that at the public hearing held on February 22, 2000 it was indicated that sidewalks would be installed on both sides of this area. Boedigheimer moved, Rowe seconded, that sidewalks be constructed as originally proposed along both sides of Genesis Avenue and Scott Street. Edblom questioned whether the three existing homes and the new homes would have the same set back. It was indicated that they would. All voted in favor of the motion. At this time Dolly requested to receive a breakdown of the costs for this project.

### **SOUTHWEST AREA RECREATIONAL PROJECT:**

Harry Weilage, Director of Community Services, reviewed with the council the Southwest Area Recreational Project Proposal. He indicated that this grant money needs to be applied for by August 15, 2000 and that it would be used for soccer fields, public golf course and a 2<sup>nd</sup> sheet of ice for hockey. This will be a joint venture between the City, County, Marshall Public School and SSU. Each entity needs to make a commitment of \$100,000 for the next two years (\$50,000 each year). Boedigheimer questioned the commitment needed for all three of these projects and indicated that he was not in favor of this project. Rowe was concerned with the operating costs and who would be paying for them. Harry indicated that the Minnesota Amateur Sports Commission suggested to put all three projects in one grant application and to not submit each one individually. Mark Goodnew, Lyon County Commissioner, indicated his support for this project. Reynolds moved, Edblom seconded, to budget \$50,000 in both fiscal year 2001 and 2002 for this project and to send a letter of support stating such to the Minnesota Amateur Sports Commission. All voted in favor, except Boedigheimer who voted no.

**RECOMMENDATIONS FROM ECONOMIC DEVELOPMENT AUTHORITY (EDA):**

Calvin Barnett, Director of General Services/City Assessor, reviewed with the council the EDA recommendation to acquire property. EDA is recommending that the City of Marshall acquire the Marshall Labs property located on Lots 10, 11 and 12 of Block 11, Marshall Original Plat; and the Foley Ecowater property located at 109 North 1<sup>st</sup> Street. Mr. Barnett indicated that the appraisal has been completed on both parcels. Rowe moved, Doyle seconded, that the proper city personnel be authorized to pursue the purchase of the Marshall Lab Property located on Lots 10, 11 and 12 of Block 11, Marshall Original Plat. All voted in favor of the motion.

Doyle moved, Rowe seconded, that the proper city personnel be authorized to pursue the purchase of the Foley Ecowater property located at 109 North 1<sup>st</sup> Street. All voted in favor of the motion, except Boedigheimer who abstained.

Paul Rehkamp reviewed the request from MC S.T. Properties for Corporate Subsidy (Metz Baking Company Project). This request is for assistance in addressing certain soil conditions at the proposed location for the new Metz Baking Company building. Edblom moved, Reynolds seconded, the approval of a Business Subsidy Agreement between the City of Marshall and MC S.T. for \$55,000 which includes \$50,000 for soil corrections and \$5,000 for administration. All voted in favor of the motion.

Calvin Barnett, Director of General Services/City Assessor, reviewed the Agreement Confirming 5% PILOT Parkway Addition Townhouses. The Parkway Townhouse Project will consist of four 4-unit buildings and two 5-unit buildings. The rent for all buildings is targeted to meet the needs of low to moderate income tenants. Per the recommendation of the EDA, Boedigheimer moved Doyle seconded, that the PILOT Program be approved at a 5% Level for the Parkway Townhouses. All voted in favor of the motion.

Calvin Barnett, Director of General Services/City Assessor, reviewed with the council the request for proceeding with RFP – Housing Study. The purpose of the survey will be to identify current housing supply and available housing and to quantify what business and industry will require to meet their annual growth needs in the future. Doyle moved, Edblom seconded, authorization be granted to proceed with the Housing Study RFP. All voted in favor of the motion.

**EARNEST MONEY AGREEMENT CAMELOT SQUARE MOBILE HOME PARK:**

Calvin Barnett, Director of General Services/City Assessor, indicated that the availability of the Camelot Mobile Home Park land creates several unique opportunities for the City:

1. The City can assemble Camelot Mobile Home Park with land the City has acquired adjacent, which is currently in excess of the requirements for the holding pond and the Corp Project;
2. The City can address the issue of a deteriorating Mobile Home Park; and
3. The location is within the city limits of Marshall and has the advantage of connecting the community and SSU.

Boedigheimer moved, Reynolds seconded, the City of Marshall execute the Earnest Money Contract in the amount of \$130,000 for the acquisition of the Camelot Mobile Home Park. All voted in favor of the motion.



**APPRAISAL FEE QUOTE – HEARTLAND TAX COURT PETITION:**

Calvin Barnett, Director of General Services/City Assessor, reviewed with the council the Heartland Tax Court Petition. Mr. Barnett indicated that the City of Marshall needs to proceed with the hiring of a competent, knowledgeable appraiser, with experience in appraising industrial property and giving testimony before the Minnesota Tax Court. Boedigheimer moved, Edblom seconded, that St. Cloud Appraisal, Inc., be hired to complete an appraisal of the Heartland Foods Plant in Marshall, Minnesota (real estate only) at a fee of \$8,000. Trial preparation is billed at an additional \$100 per hour, with testimony and hearings charged at \$150 per hour on a portal-to-portal basis. All voted in favor of the motion.

**LAND ACQUISITION AGREEMENT – MN OFFICE OF AERONAUTICS:**

Doyle moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2255, SECOND SERIES and that the reading of the same be waived. Resolution Number 2255, Second Series is a resolution providing Authorization to Execute the Minnesota Department of Transportation Grant Agreement for Airport Property Acquisition Costs. This relates to acquisition of the Henry Schroeder property Parcel 115. All voted in favor of the motion.

**CRACK FILL, FOG SEAL AND REPAINTING MARSHALL MUNICIPAL AIRPORT:**

Rowe moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2256, SECOND SERIES and that the reading of the same be waived. Resolution Number 2256, Second Series is a resolution providing Authorization to Execute Minnesota Department of Transportation Grant Agreement for Airport Improvement. This resolution provides for the construction and payment of crack filling, fog seal and repainting at the Marshall Municipal Airport. The total projected cost for the project is \$40,507.16. The agreement provides for MN/DOT's share of the cost to be 60%. All voted in favor of the motion.

**SHARED SALT SHED AT MARSHALL:**

Edblom moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2257, SECOND SERIES and that the reading of the same be waived. Resolution Number 2257, Second Series is a resolution Entering into Agreement Between Lyon County, City of Marshall and Minnesota Department of Transportation for a Shared Salt Shed at Marshall, Minnesota. This resolution approves the MN/DOT Agreement No. 80632P between Lyon County, the City of Marshall and MN/DOT for the construction, payment, maintenance and use of a shared salt shed in Marshall, Minnesota. The city's share of the project will not exceed \$37,000. All voted in favor of the motion.

**ENHANCED FLOODWARNING SYSTEM AGREEMENT:**

Rowe moved, Edblom seconded, the proper city personnel be authorized to enter into an Amended Memorandum of Agreement/Enhanced Floodwarning System DNS Floodwarning Gage Number 27-043-001, Redwood River near Russell. All voted in favor of the motion.

**FLOOD HAZARD MITIGATION GRANT AGREEMENT AMENDMENT:**

Rowe moved, Doyle seconded, the proper city personnel be authorized to enter into a Flood Hazard Mitigation Grant Agreement Amendment for Contract No. R29 02000000309. The terms and conditions of the original grant remain unchanged except for the terms of the grant, which is extended to June 30, 2001. All voted in favor of the motion.

**CHANGE ORDER APPARATUS STORAGE/MAINTENANCE FACILITY MERIT PROJECT:**

Rowe moved, Edblom seconded, the approval of change order G-1 for the Apparatus Storage/Maintenance Facility at the MERIT Center. The purpose of this change order is to comply with Minnesota Building code revisions pertaining to steel railings, door hardware and lockers. This change order is with Bladholm Construction, Inc., in the amount of \$975. All voted in favor of the motion.

**PRELIMINARY PLAT FOR LYON MAIN PARTNERSHIP:**

Mike Johnson, City Administrator, reviewed the proposed preliminary plat for Lyon Main Partnership, which is located within a 2-mile boundary of the City of Marshall. This plat will subdivide land zoned agricultural into a suburban residence district. It was indicated that Kim Jergenson, Engineer Technician, has not had an opportunity to review this plat. There are issues with water, sewer, fire protection, water runoff, and etc that need to be answered. Boedigheimer moved, Edblom seconded, that the preliminary plat for Lyon Main Partnership be denied and that the City of Marshall, Lyon County and the owners of the Lyon Main Partnership work together to answer these issues. All voted in favor of the motion.

**MUTUAL AID AGREEMENT AND RESOLUTION FOR MMU:**

Rowe moved, Doyle seconded, that Marshall Municipal Utilities be authorized to enter into a Mutual Aid Agreement to request the Federal Emergency Management Agency (FEMA) for reimbursement costs arising from a city or municipal utility assisting another city/utility. All voted in favor of the motion.

**MAYOR AND COUNCILMEMBER REPORTS:**

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

- Stores: Community Services Advisory Board did not meet; Downtown Design Committee is working on the Downtown Design Ordinance.
- Edblom Ways and Means Committee met and discussed the impound center –they are working with the Humane Society to resolve this issue; Personnel Committee needs to meet.
- Boedigheimer No report.
- Doyle Housing Commission, Human Rights Commission, and Convention & Visitors Bureau minutes are included in the agenda packet.
- Rowe MERIT Committee – the ribbon cutting ceremony will be held on Wednesday, August 9<sup>th</sup> at 11:00 A.M.; Legislative and Ordinance Committee needs to meet.
- Reynolds Hospital Board will be meeting in 2 weeks.

**COUNCILPERSON INDIVIDUAL ITEMS:**

Other items of concern brought forth by the Councilmembers included: there will be a Community Center Committee meeting on Wednesday, there was a concern with some of the residents along North 6<sup>th</sup> Street leaving their garbage cans by the street; and the City Code Book is complete and is being reviewed at this time.

# REGULAR MEETING – AUGUST 7, 2000

## BILLS/PROJECT PAYMENTS:

Mike Johnson indicated that Darrel Mercie had requested to be reimbursed the full amount for the installation of the Individual Sewage Treatment System on his property at 2312 260<sup>th</sup> Street, Marshall, Minnesota. Mr. Johnson indicated that the city agreed to pay \$5,000 per system upon completion of a valid system. Edblom moved, Boedigheimer seconded, and it was unanimously approved that the following bills/projects be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 24900 through 25072.

## BUILDING PERMITS:

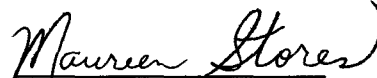
The following building permits previously approved by the Building Official were confirmed.

	Applicant	Location Address	Description of Work	Valuation
1.	Ray & Julie Henriksen	310 South Hill Street	Garage Remodel	\$500
2.	James & Marianne Zarzana	227 North Hill Street	Replace Windows and Door	\$1,200
3.	Michael Leese	1233 Patricia Court	Utility Shed	\$1,200
4.	Sean Carmody	610 West Southview Drive	Garage	\$4,000
5.	Bot Appliance and Electronics	405 West Main Street	Interior Remodeling	\$1,500
6.	Sussner Construction, Inc.	300 South Bruce Street	Addition and Canopy	\$298,500
7.	Sussner Construction, Inc.	1632 West College Drive	Walkway Addition	\$6,800
8.	Jon C. Hansen	210 Ash Drive	Deck	\$700
9.	Beek Construction	124 "E" Street	Reroof Dwelling	\$2,400
10.	Robert L. Carr Co.	500 & 502 Country Club Drive	Two-Unit Condominium	\$190,000
11.	Albert Eggermont, Jr.	1221 East College Drive	Interior Remodel	\$3,000
12.	Babcock Construction	412 North 7th Street	Reside Dwelling	\$2,200
13.	Ralph & Mildred Hall	411 North 6th Street	Replace Windows	\$2,500
14.	John Strandberg	716 South 4th Street	Reroof Patio	\$500
15.	Lyon County	531 Fairgrounds Road	Grandstand Handicap Accessibility	\$2,200
16.	PBK Investments, Inc.	1420 East College Drive	Space 900B / Interior Remodel	\$16,000
17.	Shelly Rykhus	907 Birch Street	Install Windows	\$1,000
18.	Scott & Michelle Wajer	609 West Southview Drive	Pool	\$1,400
19.	Richard Lee	809 North 6th Street	Garage	\$6,000
20.	Kristopher K. Salhus	204 & 206 South 5th Street	Reside Duplex	\$5,100
21.	Richard Binnebose & Eileen Binnebose	413 North 4th Street	Addition & Replace Window	\$20,200
22.	Jacki Knigge	300 West Main Street	Sign	\$500
23.	Urban Johnson	800 Cheryl Avenue	Install Window	\$500
24.	Independent School District No. 413	401 South Saratoga Street	E Wing / Construct Partitions	\$7,500

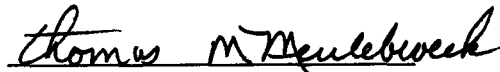
REGULAR MEETING – AUGUST 7, 2000

25.	State Farm Mutual Automobile Insurance Co.	311 O'Connell St.	Install Two Signs	\$800
26.	William & Susan Sullivan	400 East Southview Drive	Addition	\$11,000
27.	BF Partnership	801 West Main Street	Move Out Office Building	\$0
28.	Bladholm Construction, Inc.	211 North 11th Street	Storage Addition	\$70,000

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

  
President Pro-Tem

ATTEST:

  
Financial Director/City Clerk

## REGULAR MEETING – AUGUST 21, 2000

The regular meeting of the Common Council of the City of Marshall was held on August 21, 2000 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, Edblom, Reynolds, and Stores. Boedigheimer arrived late and Doyle was absent. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Thomas M. Meulebroeck, Finance Director/City Clerk; Harry Weilage, Director of Community Services; Calvin Barnett, Director of General Services/City Assessor; 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 of the council that the agenda be approved with the deletion of item 15, which is a resolution approving the transfer on the Hill Street property from Robert L. Carr and Phyllis Carr to Fairview Development of Marshall and item 16, which is a resolution authorizing the City to execute a corrective limited warranty deed to Robert L. Carr.

### **APPROVAL OF THE MINUTES:**

Rowe moved, Reynolds seconded, that the minutes of the regular meeting held on August 7, 2000 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 – CLOSING THIRD STREET:**

This was the date and time set for a public hearing on the request of Lyon County Historical Society to close one block of Third Street for decoration of live Christmas trees. Ellayne Conyers of the Lyon County Historical Society and Nona Sandberg, Schwan's Sales Enterprises, were in attendance at the meeting to review this request and answer any questions the council may have. The request is for permission to use 3<sup>rd</sup> Street for the first annual Christmas Tree Walk; permission to use, if necessary, the first four (4) parking spaces on 3<sup>rd</sup> Street as an additional area to place trees (Museum side of the street); and permission to close 3<sup>rd</sup> Street from 6:30 P.M. until 8:00 P.M. during the week of December 11<sup>th</sup> for planned activities. The trees will be up by December 7<sup>th</sup>, decorated by December 10<sup>th</sup>, activities during the week of December 11<sup>th</sup> through December 17<sup>th</sup>; tree judging and awarding of prizes December 16<sup>th</sup> or December 17<sup>th</sup>, and removal of the trees the week of December 26<sup>th</sup>. Schwan's will be paying of the trees; the electricity; the security and the prizes. Proceeds from the entry fee of \$50.00 will go to the Lyon County Historical Society. The Lyon County Historical Society is willing to allow part of their proceeds to go towards hiring someone to remove snow if necessary. Rowe moved, Reynolds seconded, the public hearing be closed. All voted in favor of the motion.

Rowe moved, Reynolds seconded, the approval of the first annual Christmas Tree Walk on 3<sup>rd</sup> Street. This will allow for the placement of Christmas Trees on the sidewalk, the 4 parking spaces (Museum side of the street) and the closing of 3<sup>rd</sup> Street from 6:30 P.M. until 8:00 P.M. during the week of December 11<sup>th</sup> through December 17<sup>th</sup>. All voted in favor of the motion.

Be it noted the arrival of Councilperson Boedigheimer.

### **PUBLIC HEARING – ORDINANCE ESTABLISHING CENTRAL BUSINESS DISTRICT REHABILITATION STANDARDS:**

This was the date and time for a public hearing on the proposed ordinance Establishing Central Business District Rehabilitation Standards. Mike Johnson, City Administrator, briefly reviewed the changes that have taken place since the ordinance was introduced. Marcia Rehkamp indicated that the

## REGULAR MEETING – AUGUST 21, 2000

intent of this ordinance is to preserve and enhance the exterior character of buildings in Marshall's downtown area, especially those of historic importance or significance. Joe Cool thanked the council, the Downtown Design Committee and all of the personnel who worked very hard on this project. Anne LaPorte stated that she does 90% of her shopping in Marshall and felt that the downtown area is in need of help and hopes this ordinance passes. Other items of concern included: If a business does not apply for a grant is the owner subject to the ordinance; Wooden or aluminum awnings and canopies are a protective item and should not be eliminated - Subd. 6 changed to include Aluminum awnings or wooden canopies are generally inappropriate, unless part of the original design of the building; if a business applies for a building permit for part of the outside remodeling – does the ordinance require them to do the entire outside. A Design Review Committee needs to be established for the Central Business District. At this time minor changes were made to the ordinance. Rowe moved, Reynolds seconded, the public hearing be closed. All voted in favor of the motion. Rowe moved, Stores seconded, the adoption of ORDINANCE NUMBER 439, SECOND SERIES, as corrected and that the reading of the same be waived. Ordinance Number 439, Second Series is an ordinance Establishing Central Business District Rehabilitation Standards in the City of Marshall, Minnesota. All voted in favor of the motion.

### **CONSENT AGENDA – TEMPORARY ON-SALE NON-INTOXICATING BEER LICENSE FOR MAHA; AUTHORIZATION TO HIRE A PART-TIME POLICE OFFICER:**

Edblom moved, Reynolds seconded, the approval of a temporary on-sale non-intoxicating beer license for Marshall Amateur Hockey Association to be used on September 9, 2000 at the Lyon County Ice Facility. The fee for this license is \$25.00. All voted in favor of the motion.

Upon the recommendation of Director of Public Safety Robert Yant, Edblom moved, Reynolds seconded, that Michael J. Serreyn be employed as a part-time Police Officer with the City of Marshall at the rate of \$15.43 effective August 28, 2000. The following resolution was adopted: BE IT RESOLVED that Michael J. Serreyn be 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 members of the Public Employees Retirement Association Police and Fire Fund. All voted in favor of the motion.

### **TRANSIENT MERCHANT LICENSE – HOMIER DISTRIBUTING:**

Rowe moved, Edblom seconded, the approval of a Transient Merchants License for Homier Distributing Company for a sale to be held on September 4-5, 2000 at the Marshall National Guard Armory. The fee for this license is \$250.00 and a bond is required in the amount of \$5,000. All voted in favor of the motion, except Boedigheimer who voted no.

### **APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS:**

Reynolds moved, Edblom seconded, and it was unanimously approved that the following appointments be made to the various boards and commissions:

Airport Commission – Dr. Carl Simons for a term to expire on May 31, 2003

Cable Television Commission – Larry Murphy for a term to expire on May 31, 2003

Planning Commission – Tom Odgahl for a term to expire on May 31, 2003

Hospital Board – Pat Mellenthin for a term to expire on May 31, 2005

Senior Citizen Center Commission – Laura Murphy for a term to expire on May 1, 2003 and Terry Peterson for a term to expire on May 1, 2002

## REGULAR MEETING – AUGUST 21, 2000

Human Rights Commission – to readvertise for 2 terms to expire on May 31, 2003

### **SMALL CITIES DEVELOPMENT PROGRAM PROCEDURAL GUIDELINES:**

Rick Goodeman, Executive Director of Southwest Minnesota Housing Partnership, was in attendance at the meeting to provide an overview of the procedural guidelines for the Small Cities Development Program for the Commercial Rehabilitation, Residential Rental Rehabilitation and Residential Owner Occupied Housing Rehabilitation. He briefly reviewed the following guidelines:

1. Program Objectives
2. Program Administration
3. General Eligibility
4. Truth-In -Lending
5. Conflict of Interest
6. Eligible Properties
7. Project Funding
8. Eligible Improvements
9. Design Standards
10. Historical Society Review
11. Marketing
12. Application and Applicant Selection Procedures
13. Davis Bacon Labor Standards
14. Contractual Procedures
15. Loan Repayment & Program Income
16. Loan/Design Standard Approval Process
17. Appeals Procedures

Mr. Goodeman indicated that the grant consists of 1/3 0% loan; 1/3 3% interest loan; and 1/3 applicant share. The number of loans and dollars available are as follows:

1. Commercial Rehabilitation – 35 loans for a total of \$738,000
2. Residential Rental Rehabilitation – 48 rental units for a total of \$516,960
3. Residential Owner Occupied Housing Rehabilitation – 8 loans for a total of \$110,800

Mr. Goodeman also indicated that the funds can be transferred from one area to another, but would require the council to modify the grant.

### **VARIANCE ADJUSTMENT PERMIT – ROBERT & NANCY BLOMME, 312 WALNUT STREET:**

Edblom moved, Boedigheimer seconded, the approval of a variance adjustment permit for Robert and Nancy Blomme to construct an addition onto their dwelling at 312 Walnut Street with a front yard of 11 ft. in lieu of 25 ft. as required by Ordinance in an R-1 one Family Residence District. This variance adjustment permit would allow for Robert & Nancy Blomme to construct an addition between the house and the garage. There will be five feet of yard between the addition and the existing garage. All voted in favor of the motion.

### **CONDITIONAL USE PERMIT – GREGORY S. TAYLOR, 105 SOUTH 1<sup>ST</sup> STREET:**

Greg Taylor presented to the council his request for a 12-unit apartment at 105 South 1<sup>st</sup> Street. This building currently has 11 apartments and an office space. The request is to add a 12<sup>th</sup> apartment. If approved this 12-unit apartment would require 24 off-street parking spaces. There are currently 19 off-street parking stalls at his location and 3 additional off-street parking spaces on the land (warehouse property) across South 1<sup>st</sup> Street, which is also owned by Mr. Taylor. The City of Marshall is attempting to acquire the warehouse property that is currently owned by Greg Taylor to construct a park for the City of Marshall. Mr. Stoneberg and Mr. Murphy indicated that this issue is not relevant to the issue of

## REGULAR MEETING – AUGUST 21, 2000

obtaining the warehouse property. Boedigheimer moved, Rowe seconded, the request of Gregory Taylor, J.F. Taylor & Sons, Inc., for a Conditional Use Permit for a 12-Unit Apartment in a B-3 General Business District at 105 South 1<sup>st</sup> Street be denied. This was denied because apartment buildings are not allowed in a B-3 zoning district. All voted in favor of the motion.

### **VARIANCE ADJUSTMENT PERMIT – GREGORY S. TAYLOR, 105 SOUTH 1<sup>ST</sup> STREET:**

Edblom moved, Boedigheimer seconded, the approval of a Variance Adjustment Permit to provide 19 off-street parking spaces in lieu of 22 spaces for an 11-unit apartment building at 105 South 1<sup>st</sup> Street for Gregory S. Taylor. All voted in favor of the motion.

### **REQUEST TO REZONE 405 GENESIS AVENUE FROM R-3 TO B-3:**

Stores moved, Reynolds seconded, the introduction of an ordinance Amending Chapter 11 of the City Code Relating to Zoning and call for a public hearing to be held at 7:30 P.M. on September 5, 2000. This ordinance would rezone 405 Genesis Avenue from R-3 Low to Medium Density Multiple Family Residence District to B-3 General Business District. All voted in favor of the motion.

### **REQUEST TO REZONE LOT 5, BLOCK 2, PARKWAY ADDITION FROM R-4 TO R-3:**

Edblom moved, Reynolds seconded, the introduction of an ordinance Amending Chapter 11 of the City Code Relating to Zoning and call for a public hearing to be held at 7:30 P.M. on September 5, 2000. This ordinance would rezone Lot 5, Block 2, Parkway Addition from R-4 Higher Density-Multiply Family Residence District to R-3 Low to Medium Density Multiple Family Residence. All voted in favor of the motion.

### **VACATION OF UTILITY EASEMENTS – CHAD'S ADDITION & TED OLSEN'S FIRST ADDITION:**

Rowe moved, Reynolds seconded, the introduction of an ordinance Vacating Utility Easements in the City of Marshall and call for a public hearing to be held at 7:30 P.M. on September 5, 2000. This ordinance would vacate the utility easement on Chad's Addition on Block 1, Lot 5; and the utility easement between Lots 4 and 5 of Block 1 of Ted Olsen's First Addition. All voted in favor of the motion.

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

### **NORTH AMBULANCE SIX-MONTH FINANCIAL REVIEW:**

Brennan McAlpin, Manager North Ambulance was in attendance at the meeting to review the financial performance for the first six months of 2000. Buck also indicated that North Ambulance Service has purchased an additional helicopter that will be stationed in Redwood Falls and used to provide air ambulance service to this area. This new service will start this fall.

### **FINANCIAL SUPPORT – MARSHALL AREA TRANSIT:**

Jeanette Aquirre was in attendance at the meeting to request that the City's allocation for operations be increased from \$15,000 to \$18,000 for the 2000 budget. The City's transit budget for 2000 provides for a transfer up to \$25,000 to Western Community Action, Inc., of which \$10,000 was for capital expenditures. Since there will be no capital expenditure in 2000 there is no need to adjust the City's budget to increase the allocation for operations by \$3,000. Ms. Aquirre is also requesting that the City budget \$18,000 for operations and \$10,000 for capital for the year 2001.



**MARSHALL AREA SENIOR CENTER – FLOOR IMPROVEMENTS:**

Boedigheimer moved, Reynolds seconded, that the Senior Center Commission be authorized to use the remaining funds of \$6,093.72 from the Capital Outlay to replace the floor in the kitchen and both bathrooms in the Senior Center. All voted in favor of the motion.

**ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF MARSHALL:**

Rowe moved, Stores seconded, the introduction of an ordinance Adopting and Enacting a New Code for the City of Marshall, Minnesota; Providing for the Repeal of Certain Ordinances not Included Therein; Providing a Penalty for the Violation Thereof; Providing for the Manner of Amending Such Code; and Providing When Such Code and This Ordinance Shall Become Effective. All voted in favor of the motion.

**MAYOR AND COUNCILMEMBER REPORTS:**

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

- Byrnes        EDA minutes are included in the agenda packet; Regional Development Commission did not meet.
- Stores        Community Services Advisory Board – the strategic planning has been put on hold; and update was given on the summer wage scale for the pool personnel and the LTS instructors; Downtown Development Group met on August 16th.
- Edblom        Cable Commission met last week – they are working on the needs assessment; Planning Commission items were acted on earlier in the meeting; Utilities Commission discussed the water development issue; Ways and Means Committee and Personnel Committee need to meet.
- Boedigheimer Airport Commission minutes are included in the agenda packet for the August 14<sup>th</sup> meeting and there was a special meeting earlier today; Senior Citizen Commission not able to attend; Lyon County Enterprise Development meeting was cancelled.
- Rowe        Library Board has not met; Legislative and Ordinance Committee items were acted on earlier in the meeting; MERIT Committee will meet in the near future.
- Reynolds      Hospital Board met earlier this evening and discussed the possibility of board members not being residents of the City of Marshall.

**COUNCILPERSON INDIVIDUAL ITEMS:**

Other items of concern brought forth by the Councilmembers included: the pool was managed extremely well this season; the Relay for Life was held last Friday and was a success; the ground breaking for the MERIT Center was held last week; SSU started today; the City does not provide any reimbursement for the removal of Dutch Elm trees; personnel wages are up for negotiation; it was suggested that the council be paid per regular and special meeting and not per month; there was a concern about the parking lots on College Drive being a hang out for kids; there is a large crack on Adobe by Parkside School that needs to be fixed; a design review committee needs to be appointed and the Mayor is looking for suggestions; there will be a special budget meeting on September 11<sup>th</sup>; the

# REGULAR MEETING – AUGUST 21, 2000

Mayor requested that the two regular City Council meetings to be held in January, 2001 which are Monday holidays be held on the 2<sup>nd</sup> and 4<sup>th</sup> Monday; there was a concern about the birds along Whitney Street and it was indicated that the City is responsible for trimming the trees in the middle area of Whitney Street.

## BILLS/PROJECT PAYMENTS:

Edblom moved, Rowe seconded, and it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 25073 through 25278 and that the following additional bills be authorized for payment: Bladholm Construction in the amount of \$191,030.28; Bisbee Plumbing & Heating in the amount of \$6,273.66 and Bisbee Plumbing Heating in the amount of \$22,376.30.

## BUILDING PERMITS:

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

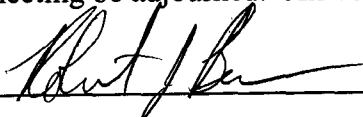
	Applicant	Location Address	Description of Work	Valuation
1.	Fairmont Glass & Sign	400 West Main Street	Install Sign	\$6,000
2.	Fairmont Glass & Sign	401 West Lyon Street	Install Sign	\$7,000
3.	Fairmont Glass & Sign	1422 East College Drive	Install Sign	\$7,000
4.	Dulas Construction	1116 & 1118 Birch Street	Entrance Remodel	\$16,000
5.	Greg Chapa	322 Timberlane Drive	Insulation, Siding, Replace Doors, Replace Windows	\$2,000
6.	Steven Baumann Construction	512 Lawrence Street	Reroof	\$2,000
7.	Mark Henkelman	701 Elaine Avenue	Reside Dwelling, Replace Windows, Replace Steps, Storage Shed	\$4,500
8.	Scot Kindschi	110 East Redwood Street	Garage Reroof, Reside and Install Doors	\$4,600
9.	French Construction	419 West College Drive	Closet	\$800
10.	G&P Construction	407 Genesis Avenue	Dwelling	\$80,200
11.	G&P Construction	409 Genesis Avenue	Dwelling	\$80,200
12.	G&P Construction	411 Genesis Avenue	Dwelling	\$80,200
13.	G&P Construction	413 Genesis Avenue	Dwelling	\$80,200
14.	G&P Construction	415 Genesis Avenue	Dwelling	\$80,200
15.	G&P Construction	501 Genesis Avenue	Dwelling	\$80,200
16.	G&P Construction	503 Genesis Avenue	Dwelling	\$80,200
17.	G&P Construction	505 Genesis Avenue	Dwelling	\$80,200
18.	G&P Construction	507 Genesis Avenue	Dwelling	\$80,200
19.	G&P Construction	601 Genesis Avenue	Dwelling	\$80,200
20.	Richard Louwagie	402 South Hill Street	3-Season Sunroom	\$10,000
21.	Jamie Welsh	121 Spruce Lane	Reroof	\$700
22.	French Construction	502 Kennedy Street	Repair Roof	\$8,000
23.	Chuck Bofferding	1213 West Main Street	Install Sign	\$400
24.	Thomas Werner	704 East Main Street	Remodel Garage	\$500

REGULAR MEETING – AUGUST 21, 2000


	Applicant	Location Address	Description of Work	Valuation
25.	Thomas Werner	1110 West Main Street	Construct Bathroom	\$3,000
26.	Village Park Mobile Home Park	212 Ash Drive	Reside Manufactured Home	\$2,600
27.	Dr. Paul J. Puetz	105 North 3rd Street	Sign	\$1,600
28.	Darrel Hoogheem	207 West College Drive	Remodel Retail Store	\$8,000
29.	Bladholm Construction, Inc.	113 South 6th Street	Cooler Addition	\$375,000
30.	Roger & Gloria VanOverbeke	513 Lawrence Street	Reside Dwelling, Install Windows, Replace Garage Floor	\$14,000
31.	Dulas Construction	610 West Erie Road	Dock & Storage Addition	\$75,000
32.	Village Park Mobile Home Park	209 Ash Drive	Manufactured Home Installation	

City Attorney Brian Murphy requested a listing of all the e-mail address for the city. Mike Johnson indicated that there would be a budget meeting scheduled in October.

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

  
 Mayor

ATTEST:

  
 Financial Director/City Clerk

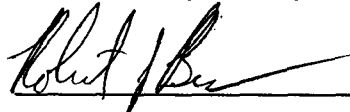
SPECIAL MEETING – AUGUST 28, 2000

A special meeting of the Common Council of the City of Marshall was held on August 28, 2000 in the Council Chambers of the Marshall Municipal Building. The meeting was called to order at 12:05 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Rowe, Doyle, Edblom, Reynolds, Boedigheimer and Stores. Staff present included: Michael Johnson, City Administrator; and Jane DeVries, Deputy City Clerk.

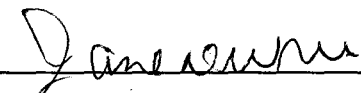
**GRANT AGREEMENT FOR THE M.E.R.I.T. CENTER FIRE TRAINING TOWER PROJECT:**

The purpose of this meeting was to consider the final grant agreement with the Minnesota Department of Public Safety Office of Drug Policy and Violence Prevention for \$400,000 for the M.E.R.I.T. Center Fire Training Tower Project. This agreement is an End Grant Agreement, which means that the City of Marshall would not receive these funds until the project has been completed. Mr. Johnson indicated that Thomas M. Meulebroeck, Finance Director/City Clerk, is working on the financing and that funds will be borrowed from the General Fund for this project. Doyle moved, Stores seconded, the adoption of RESOLUTION NUMBER 2258, SECOND SERIES and that the reading of the same be waived. Resolution Number 2258, Second Series is a Resolution Authorizing Execution of Agreement with Department of Public Safety for Fire Training Tower Project. All voted in favor of the motion.

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

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Deputy City Clerk

## REGULAR MEETING – SEPTEMBER 5, 2000

The regular meeting of the Common Council of the City of Marshall was held on September 5, 2000 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; Brian Murphy, City Attorney; Thomas M. Meulebroeck, Finance Director/City Clerk; Calvin Barnett, Director of General Services/City Assessor; 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 of the council that the agenda be approved with the addition of item number 15a which is the consideration of contract with the Burlington Northern and Santa Fe Railway Company for a Pipe Line License.

### **APPROVAL OF THE MINUTES:**

Rowe moved, Reynolds seconded, that the minutes of the regular meeting held on August 21, 2000 be approved as corrected and the minutes of the special meeting held on August 28, 2000 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 – REZONE 405 GENESIS AVENUE:**

This was the date and time set for a public hearing on the request of Gregory S. Taylor, J.F. Taylor & Sons, Inc., to rezone 405 Genesis Avenue from R-3 (Low to Medium Density-Multiple Family Residence District) to a B-3 (General Business District). Mr. Taylor purchased this lot along with the adjacent auto body shop building at 1405 South Saratoga Street. The lot for which this request is made is immediately east of the body shop building and has a Genesis Avenue frontage. Cheryl Morgan, 1401 South Saratoga, wanted to know what Mr. Taylor intended to use this lot for. It was indicated that a B-3 District is the broadest business district and would allow for many uses. It was also indicated that it could not be used to relocate his lumberyard from 105 South 1<sup>st</sup> Street without a Conditional Use Permit. Chris Miller, 605 East Genesis Avenue, asked what area is zoned R-3. All of Chad's Addition is zoned R-3 with the exception of 1 lot on the end which is zoned R-1. Mr. Miller indicated that he is opposed to the zoning request of Mr. Taylor. Joe Illies, 702 Scott Street indicted that he was told this entire area would remain as single family homes and that he is also opposed to Mr. Taylor's zoning request. Cheryl & Jim Morgan, 1401 South Saratoga, are also opposed to the zoning request. Rowe moved, Doyle seconded, the public hearing be closed. All voted in favor of the motion.

Edblom moved, Stores seconded, that the request of Gregory S. Taylor, J.F. Taylor & Sons, Inc., to rezone 405 Genesis Avenue from an R-3 (Low to Medium Density-Multiple Family Residence District) to be placed in a B-3 (General Business District) be denied because it is not in compliance with the City of Marshall Comprehensive Plan. All voted in favor of the motion.

**PUBLIC HEARING – REZONE PARKWAY ADDITION:**

This was the date and time set for a public hearing on the request to rezone Parkway Addition from R-4 Higher Density-Multiple Family Residence District to R-3 Low to Medium Density-Multiple Family Residence District. Lot 5, Block 2, Parkway Addition has always been intended for 4-unit to 8-unit apartment buildings. Plans received for this lot are for two 4-unit buildings and two 5-unit buildings. R-4 District does not permit apartments of less than 8-units. There were no objections, therefore Edblom moved, Reynolds seconded, that the public hearing be closed. All voted in favor of the motion.

Stores moved, Doyle seconded, the adoption of ORDINANCE NUMBER 440, SECOND SERIES and that the reading of the same be waived. Ordinance Number 440, Second Series is an ordinance Amending Chapter 11 of the City Code Relating to Zoning. This ordinance provides for Lot 5, Block 2, Parkway Addition (1103, 1105, 1107, 1109 Paris Road) to be rezoned from R-4 Higher Density-Multiple Family Residence District to R-3 Low to Medium Density-Multiple Family Residence District. This rezoning is in compliance with the City of Marshall Comprehensive Plan. All voted in favor of the motion.

**PUBLIC HEARING – VACATION UTILITY EASEMENT CHAD'S ADDITION AND TED OLSEN'S FIRST ADDITION:**

This was the date and time set for a public hearing on the request to vacate a utility easement between Lots 4 and 5 of Block 1 of Ted Olsen's First Addition now part of Chad's Addition, Block 1, Lot 4. This utility easement was for a now abandoned sanitary sewer main. There were no objections, therefore Rowe moved, Doyle seconded, the public hearing be closed. All voted in favor of the motion.

Rowe moved, Edblom seconded, the adoption of ORDINANCE NUMBER 441, SECOND SERIES and that the reading of the same be waived. Ordinance Number 441, Second Series is an ordinance Vacating Utility Easements in the City of Marshall. This ordinance vacates the utility easement between Lots 4 and 5 of Block 1 of Ted Olsen's First Addition now part of Chad's Addition, Block 1, Lot 4. All voted in favor of the motion.

**CONSENT AGENDA – TEMPORARY ON-SALE LIQUOR LICENSE FOR SOUTHWEST STATE UNIVERSITY ALUMNI ASSOCIATION; TEMPORARY ON-SALE LIQUOR LICENSE FOR AMERICAN LEGION POST 113; PLUMBERS LICENSE FOR DALE KLEIN D.B.A. VOSS PLUMBING & HEATING OF PAYNESVILLE, INC., BILLS/PROJECTS PAYMENTS; BUILDING PERMITS:**

Doyle moved, Edblom seconded, the approval of a temporary on-sale liquor license for Southwest State University Alumni Association for operation at Mattke Field parking area on Saturday, October 14, 2000 during SSU's Homecoming. The fee for this license is \$25.00. All voted in favor of the motion.

## REGULAR MEETING – SEPTEMBER 5, 2000

Doyle moved, Edblom seconded, that a temporary on-sale liquor license for American Legion Post 113 be approved to provide liquor at the annual Ducks Unlimited Banquet to be held at the Marshall National Guard Armory on September 28, 2000. The fee for this license is \$25.00. All voted in favor of the motion.

Doyle moved, Edblom seconded the approval of a plumber's license for Dale Klein d.b.a. Voss Plumbing & Heating of Paynesville, Inc. This license will expire on March 31, 2001 and the fee for this license is \$50.00. All voted in favor of the motion.

Doyle moved, Edblom seconded, and it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 25279 through 25417.

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

Applicant	Location Address	Description of Work	Valuation
1. Babcock Construction	602 East Southview Drive	Reside Dwelling and Enclose Patio	\$5,500
2. Minnesota Cabinets	419 West College Drive	Install Door	\$2,000
3. Minnesota Cabinets	1000 Country Club Drive	Addition	\$50,000
4. MARBILD, LLP	1206 East College Drive	Install Sign	\$3,000
5. L.C. Schuler	805 West Southview Court	Two-Family Dwelling	\$155,000
6. McChesney Mechanical	1501 State Street	ST / AURI Remodeling	\$21,000
7. Babcock Construction	400 North Minnesota Street	Reside Dwelling	\$4,800
8. Randy Felton	904 Columbine Drive	Garage Addition	\$8,000
9. Thomas Nelson	507 Pleasant Street	Reroof Dwelling	\$1,500
10. The Work Connection	200 Jewett Street	Temporary Transportable Sign	\$0
11. Jason Rasmussen	611 Donita Avenue	Reroof Dwelling	\$2,300
12. Robert J. Tholen	107 East Main Street	Replace Windows	\$3,400
13. Robert J. Tholen	111 East Main Street	Reroof Dwelling	\$2,600
14. French Construction	348 West Main Street	Storage Closet	\$1,900
15. Dwayne Murphy	900 South 4th Street	Storage Shed	\$1,000
16. Drs. Healy and Kuecker	1300 North Highway 59	Interior Remodeling	\$20,000

### ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF MARSHALL:

Rowe moved, Stores seconded, the adoption of ORDINANCE NUMBER 442, SECOND SERIES and that the reading of the same be waived. Ordinance Number 442, Second Series is an ordinance Adopting and Enacting a New Code for the City of Marshall, Minnesota; Providing for the Repeal of Certain Ordinances not Included Therein; Providing a Penalty for the Violation Thereof; Providing for the Manner of Amending Such Code; and Providing When Such Code and this Ordinance Shall Become Effective. All voted in favor of the motion.

## REGULAR MEETING – SEPTEMBER 5, 2000

Be it noted the arrival of Councilperson Boedigheimer.

### **PLUM CREEK LIBRARY SYSTEM AGENCY AGREEMENT:**

Jodi Reng, Director of Plum Creek Library System, was in attendance at the meeting to review the revised Plum Creek Library System Agency Agreement. The Marshall-Lyon County Library Board has approved this agreement. Rowe moved, Doyle seconded, that approval of the revised Plum Creek Library System Agency Agreement. All voted in favor of the motion.

### **APPROVAL OF SMALL CITIES DEVELOPMENT PROCEDURAL GUIDELINES:**

Mike Johnson, City Administrator, briefly reviewed the three programs that are currently being implemented. The three programs consist of Commercial Rehabilitation Program; the Residential Rental Rehabilitation Program; and the Residential Owner Occupied Housing Rehabilitation Program. Representatives from Western Community Action will be assisting the Southwest Minnesota Housing Partnership in the grant administration and application process for this program. Stores moved, Edblom seconded, the approval of the Small Cities Development Procedural Guidelines for the Commercial Rehabilitation Program; the Residential Rental Rehabilitation Program; and the Residential Owner Occupied Housing Rehabilitation Program. All voted in favor of the motion.

### **APPOINTMENT OF DESIGN REVIEW COMMITTEE:**

Rowe moved, Reynolds seconded, that the following people be appointed to the Design Review Committee: Maureen Stores, Walt Schroeder, Molly Lindstrom, Russ Labat, Tim Ludeman, Mark Goodenow, and Mohamed Bosma. All voted in favor of the motion.

### **CORRECTIVE LIMITED WARRANTY DEED ROBERT L. CARR:**

Edblom moved, Boedigheimer seconded, that a Corrective Limited Warranty Deed for the Hill Street Property be approved. This deed corrects an error in the original legal description. All voted in favor of the motion.

### **TRANSFER HILL STREET PLACE RESIDENTIAL HOUSING FACILITY FROM ROBERT L. CARR TO FAIRVIEW DEVELOPMENT OF MARSHALL, LLC:**

Rowe moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2259, SECOND SERIES and that the reading of the same be waived. Resolution Number 2259, Second Series is a resolution Approving the Transfer by Robert L. Carr of the Hill Street Place Residential Housing Facility to Fairview Development of Marshall, LLC, Subject to Public Expenditure Limitations. This ownership transfer does not affect the existing Tax Increment Financing Agreements. All voted in favor of the motion.

### **CALL FOR HEARING ON PROPOSED MODIFICATION BY THE HRA:**

Edblom moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2260, SECOND SERIES and that the reading of the same be waived. Resolution



Number 2260, Second Series is a resolution Calling for a Public Hearing on the Proposed Modification by the Housing and Redevelopment Authority of Marshall of the Modified Redevelopment Plan for Schwan's Redevelopment Project No. 2 and the Modification of the Tax Increment Financing Plans for Tax Increment Financing District Nos. 2-1 and 2-2 and the Adoption of the Tax Increment Financing Plan for Proposed Tax Increment Financing District No. 2-3. The public will be held at 7:30 P.M. on October 16, 2000 in the Council Chambers of the Marshall Municipal Building. All voted in favor of the motion.

**CALL FOR PUBLIC HEARING ON AMENDED BUSINESS SUBSIDY POLICY AND CRITERIA:**

Stores moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2261, SECOND SERIES and that the reading of the same be waived. Resolution Number 2261, Second Series is a resolution Calling for a Public Hearing on the Proposed Adoption of the Amended Business Subsidy Policy and Criteria of the City of Marshall, Minnesota. The public will be held at 7:30 P.M. on October 16, 2000 in the Council Chambers of the Marshall Municipal Building. All voted in favor of the motion.

**APPLICATIONS PENDING BEFORE THE LYON COUNTY BOARD OF ADJUSTMENT:**

In accordance with Section 26.4, Subd. B.3.d.2., any request for a variance, Lyon County is required to notify any municipality that is located within two miles of the variance request. Lyon County will be holding public hearings on September 12, 2000 for the variance request from Vincent LaPort and from Francis Verly. It was the general consensus of the Council that the City takes no position on the variance requests.

**TEMPORARY LOANS – 2000 PUBLIC IMPROVEMENTS AND M.E.R.I.T. TRAINING TOWER:**

Reynolds moved, Stores seconded, the approval of a temporary interest free loan from the General Fund to the Special Revenue M.E.R.I.T. Center Fund until such time that the City receives the funding from the State and also a temporary loan from either Liquor, Wastewater or General Fund as needed at an interest rate of 6% to cover the cost of the 2000 Public Improvement Projects until such time that the City is in receipt of bond proceeds to cover the contracts. All voted in favor of the motion.

**CONTRACT WITH THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY FOR A PIPE LINE LICENSE:**

Stores moved, Edblom seconded, the proper city personnel be authorized to execute the agreement with Burlington Northern and Santa Fe Railway Company for a Pipe Line License and the approval of the contract fee in the amount of \$1,500; provide a certificate of insurance; and an additional fee of \$1,000 to participate in the BNSF's Blanket Railroad Protective Policy. Councilperson Boedigheimer was concerned about the late of \$250. It was indicated that this fee would not have to be paid. All voted in favor of the motion.

**MAYOR AND COUNCILMEMBER REPORTS:**

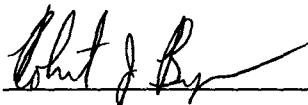
Reports by the Mayor and Councilmembers of the various boards and commissions were presented at this time:

- Byrnes        EDA met earlier today; Fire Relief Association and Regional Development Commission have not met.
- Stores        Community Services Advisory Board will met later this week.
- Edblom        Cable Commission, Planning Commission and Utilities Commission will be meeting next week; Ways and Means Committee will be meeting on Thursday; Personnel Committee will be meeting on Wednesday.
- Boedigheimer Airport Commission, Senior Citizen Center Commission, Lyon County Enterprise Development, Jt. LEC, Public Improvement/Transportation Committee have not met.
- Doyle        Housing Commission and Convention & Visitors Bureau have not met; Human Rights Commission minutes are included in the agenda packet.
- Rowe        Library Board will be meeting next Monday and the M.E.R.I.T. Committee will meet next week.
- Reynolds     Hospital Board will be meeting on September 18<sup>th</sup>.

**COUNCILPERSON INDIVIDUAL ITEMS:**

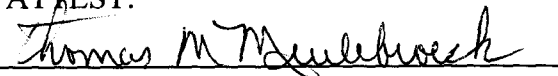
Other items of concern brought forth by the Councilmembers included: Jim Marshall, Paula Curry and Jody Gladis gave a presentation at the school workshop; Cities Week is in October; the open letter on the Design Code had some very good ideas; the new carpet has been installed at the Library; the traffic issue on College Drive is a concern and information will be obtained on what other cities are doing in regard to this issue; the property and liability insurance renewal is October 1, 2000 and there will be an Insurance Advisory Committee meeting on September 15, 2000 to discuss this.

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



Mayor of the City of Marshall

ATTEST:



Financial Director/City Clerk

## SPECIAL MEETING – SEPTEMBER 11, 2000

A special meeting of the Common Council of the City of Marshall was held on September 11, 2000 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 present included: Michael Johnson, City Administrator; Calvin Barnett, Director of General Services/City Assessor; Harry Weilage, Director of Community Services; Rob Yant, Director of Public Safety and Thomas M. Meulebroeck, Finance Director/City Clerk.

The purpose of this special meeting was to review the Preliminary 2001 General Fund Budget and to consider the adoption of the Proposed General Fund Budget for 2001 and the adoption of a Preliminary Tax Levy for the Year 2001.

Mike Johnson, City Administrator, indicated that during the 1990's the City of Marshall has experienced growth in population, housing, tax base, industrial expansion, school enrollments, and etc. These areas are all general indicators of a growing and vibrant community and are factors that continue to place demands on City Services and for the projects that support the City as a regional center. Some of the projects and community issues that are either currently underway or proposed to be underway include the following:

- Completion of \$10,000,000 Corps of Engineers Flood Control Project
- Implementation of \$1,400,000 downtown revitalization D.T.E.D. Grant Project
- Construction of the M.E.R.I.T. Center with \$1,300,000 from Minnesota Department of Public Safety
- Development of Parkway Housing Addition by the Marshall EDA with \$1,000,000 from the Greater Minnesota Housing Fund (GMHF) and the Minnesota Housing Finance Authority (MHFA)
- Reconstruction of Kossuth Avenue and North 7<sup>th</sup> Street bridges in 2001 totaling \$1,131,700 with funding coming from Federal Bridge Replacement Funds and State Aid Funds.
- Construction of effluent filters and sludge storage facilities totaling \$4,500,000 at the Wastewater Treatment Plant
- Possible private construction of a \$10,000,000 Community Recreation Center
- Consideration of a School Bond referendum for a new high school/related school improvements in excess of \$30,000,000
- Potential new hangar development/construction at the Airport totaling almost \$2,000,000
- Completion of Hospital building construction improvements totaling \$8,000,000
- Completion of medical clinic building construction totaling \$2,000,000
- Potential for the highest number of single family homes constructed in the last 10 years
- Continued growth in both University and School District enrollments

A detailed General Fund Budget was provided to the city council and division head members. The segments of the General Fund Budget that were included in the packet and reviewed with overheads at the meeting included: a summary of the revenues and expenditures from 1988 through the proposed budget 2001; the expenditure breakdown by type for the 2001 Budget in comparison to the 2000 Budget; a draft summary of the State Aid's that had been budgeted from 1995 through 2001.

SPECIAL MEETING – SEPTEMBER 11, 2000

Be it noted the arrival of Councilperson Doyle.

Mike did inform the council that included in the budget is a 30% increase in the city's health insurance. The city was recently informed that the premiums would increase 17% in lieu of the 30% as is budgeted, which will provide approximately \$42,000 in savings in the General Fund Budget. The Debt Service requirements that were reflected in the preliminary tax levy of 2001 reflects a substantial increase in the levy for the 1999 Storm Sewer District. This levy will be reviewed as to the amount of available funds at this time.

At this time each division head that were attendance at the meeting addressed areas of concern in their division.

Harry Weilage, Director of Community Services, informed the council that the High School has 103 new students over last year's enrollment. 25% of these new students are minorities. The Communities Services is continuing to expand its service to meet the needs of minorities.

Rob Yant, Director of Public Safety, indicated that he is requesting two additional licensed officers to be added to the Department of Public Safety to assist with the increase in crimes related to violence and with the volume of activities that the department is experiencing.

Cal Barnett, Director of Government Services, addressed the proposed improvements to the Municipal Building to meet the ADA (Americans Disability Act) requirements. Mr. Barnett indicated that with the design of the Municipal Building it is difficult to reorganize the offices and create better inter-office relations. Mr. Barnett also indicated that in the Assessing budget that he has proposed for 2001 are requests for additional personnel to assist with the Economic Development, Community Development, or Assessing services.

The Public Works Department has been reviewing the possibilities of reorganizing the departments to better utilize their staff and may be requesting a planner or graduate engineer to assist with their operations and projects. Projects being considered for 2001 include work on two bridges within the City of Marshall and some major improvements to the Wastewater Treatment Facility.

A concern was expressed at this time as to whether or not the general levy proposed is adequate to complete the projects that the City Council has directed of the City Staff.

Edblom moved, Rowe seconded, the adoption of RESOLUTION NUMBER 2262, SECOND SERIES and that the reading of the same be waived. Resolution Number 2262, Second Series is a resolution Adopting a Proposed General Fund Budget for the year 2001. The proposed budget for the General Fund provides for revenues of

SPECIAL MEETING – SEPTEMBER 11, 2000

\$7,733,249 and expenditures of \$8,972,270 of which the revenues are supported with a tax levy of \$2,384,781. All voted in favor of the motion.


Edblom moved, Boedigheimer seconded, the adoption of RESOLUTION NUMBER 2263, SECOND SERIES and that the reading of the same be waived. Resolution Number 2263, Second Series is a resolution Adopting a Preliminary Tax Levy for year 2001. The proposed levy is in the amount of \$2,664,370 of which \$2,384,781 is the General Fund portion of the levy and the remaining \$279,589 is for Debt Service Levy. All voted in favor of the motion.

A special City Council meeting was scheduled for September 25, 2000 at 5:30 P.M. to review and discuss issues as it relates to the employee negotiations for the year 2001.

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

  
\_\_\_\_\_  
Mayor of the City of Marshall

ATTEST:

  
\_\_\_\_\_  
Finance Director/City Clerk

## REGULAR MEETING – SEPTEMBER 18, 2000

The regular meeting of the Common Council of the City of Marshall was held on September 18, 2000 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: Brian Murphy, City Attorney; Thomas M. Meulebroeck, Finance Director/City Clerk; Calvin Barnett, Director of General Government/City Assessor; Kim Jergenson, Engineer Technician; and Dale Howe, Building Official.

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 number 5, which was the annual report from Southwest Regional Development Commission; and changing item number 12 to include the calling of a special council meeting.

### APPROVAL OF MINUTES;

Doyle moved, Edblom seconded, that the minutes of the regular held on September 5, 2000 and the special council meeting held on September 11, 2000 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

### CONSENT AGENDA - TEMPORARY ON-SALE NON-INTOXICATING BEER LICENSE – MARSHALL BASEBALL ASSOCIATION, INC. FOR SSU BASEBALL CLASSIC; BILLS/PROJECT PAYMENTS; BUILDING PERMITS:

Edblom moved, Boedigheimer seconded, the approval of a temporary on-sale non-intoxicating beer license for the Marshall Baseball Association, Inc., to be used on September 30, 2000 at Legion Field. The fee for this license is \$25.00. All voted in favor of the motion.

Edblom moved, Boedigheimer seconded, and it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 25418 through 25605.

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

Applicant	Location Address	Description of Work	Valuation
1. Paul & Marilyn Bridgland	605 Kathryn Avenue	Install Window	\$300
2. Paul Drown & Dave Regnier	102 South 10th Street	Demolish Dwelling	\$0
3. Radio Shack	1115 East College Drive	Temporary Transportable Sign	\$0
4. Charity Dethmers	329 Timberlane Drive	Replace Windows	\$400
5. True Value Home Center	201 East Thomas Avenue	Dwelling	\$320,000
6. KHC Construction, Inc.	1003 West Erie Road	Training Tower	\$373,500
7. Steve Tutt Construction	901 South 4th Street	Deck	\$4,800
8. Community First National Bank	1410 East College Drive	Office Addition and Remodeling	\$289,200
9. True Value Home Center	1414 East College Drive	Bathroom Remodel	\$7,000
10. Bruce Robinson	600 Jewett Street	Reside Dwelling	\$2,600
11. Jaen Weilage	506 Pleasant Street	Exterior Remodeling	\$5,000
12. True Value Home Center	224 Rainbow Drive	Dwelling	\$86,000
13. True Value Home Center	226 Rainbow Drive	Dwelling	\$84,800

REGULAR MEETING – SEPTEMBER 18, 2000

14.	True Value Home Center	227 Rainbow Drive	Dwelling	\$81,800
15.	True Value Home Center	229 Rainbow Drive	Dwelling	\$83,800
16.	Schwan's Sales Enterprises, Inc.	111 East Saratoga Street	Demolish Dwelling	\$0
17.	Schwan's Sales Enterprises, Inc.	113 East Saratoga Street	Demolish Dwelling	\$0
18.	Schwan's Sales Enterprises, Inc.	120 Marvin Schwan Memorial Drive	Demolish Warehouse	\$0
19.	Steve Mohwinkel	310 West Redwood Street	Replace Garage Door	\$1,400
20.	Slagel Construction	507 Elm Street	Reroof Dwelling	\$2,800
21.	Snell Services -- Drake M. Snell	603 Lawrence Street	Interior Remodel	\$300
22.	Scenic Sign	1420 East College Drive	Install Sign	\$5,000
23.	Kevin Schwartz	300 Hudson Avenue	Deck	\$1,000
24.	Village Park of Marshall, LLC	100 Lilac Drive	Office Remodel	\$2,200
25.	Village Park of Marshall, LLC	107 Spruce Lane	Interior Remodel	\$4,500
26.	Minnesota Cabinets, Inc.	1420 East College Drive	Interior Remodel - Space 800	\$21,000
27.	French Construction	1106 East Main Street	Partial Reroof	\$1,300
28.	Gary Wischer	303 Donita Avenue	Utility Shed	\$2,000
29.	George J. Jacob Construction	104 East Marshall Street	Reroof Dwelling	\$3,000
30.	J.F. Taylor & Sons, Inc.	806 Hackberry Drive	Roof Remodeling	\$15,000
31.	J.F. Taylor & Sons, Inc.	904 Hackberry Drive	Roof Remodeling	\$15,000
32.	Babcock Construction	1002 Silvervine Drive	Reroof	\$2,000
33.	Trevor Hanson	1220 East College Drive	Reroof	\$1,500

**CONDITIONAL USE PERMIT – RENNAE PETERSON:**

Edblom moved, Doyle seconded, the approval of a Conditional Use Permit for Rennae Peterson to conduct a piano lesson business in her home at 112 Ranch Avenue. This is for a five-year renewal and there are not comments on file for this business. All voted in favor of the motion.

**VARIANCE ADJUSTMENT PERMIT - RICHARD W. JOHNSON:**

Discussion was held at this time on the request of Richard W. Johnson to construct a garage addition with a side yard of 2 ft in lieu of 5 ft as required by Ordinance and a rear yard of 14 ft in lieu of 26 ft (25% of lot depth of 102 feet) as required by Ordinance in an R-1 One Family Residence District. It was indicated that if this variance adjustment permit was approved that the building code provides for a fire wall when the building is within 5 ft of the lot line. Stores moved, Edblom seconded, the approval of a Variance Adjustment Permit for Richard W. Johnson to construct a garage addition at 416 North 4<sup>th</sup> Street with a side yard of 2 ft in lieu of 5 ft as required by Ordinance and a rear yard of 14 ft in lieu of 26 ft (25% of lot depth of 102 feet) as required by Ordinance in an R-1 One Family Residence District. All voted in favor of the motion.

**PAUL STREET IMPROVEMENT PROJECT:**

Boedigheimer moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2264, SECOND SERIES and that the reading of the same be waived. Resolution Number 2264, Second Series is a resolution Declaring Cost to be Assessed for improvements on Paul Street. The cost to be assessed is \$3,462.40. All voted in favor of the motion.

Stores moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2265, SECOND SERIES and that the reading of the same be waived. Resolution Number 2265, Second Series is a resolution adopting the assessment for the shaping of the existing gravel surface and placing 3 inches of bituminous surfacing on 501 Paul Street and 502 Paul Street. This project was part of the Bituminous Overlay Project. This resolution allows for the assessment to be paid in equal annual installments over 8 years at a rate of 8% per annum effective October 15, 2000. The City is in receipt of the Agreements of Assessment and Waiver of Irregularity and Appeal from the affected property owners. All voted in favor of the motion.

**RESTRICTING PARKING – ERIE AVENUE AND ERIE ROAD:**

Boedigheimer moved, Stores seconded, the adoption of RESOLUTION NUMBER 2266, SECOND SERIES and that the reading of the same be waived. Resolution Number 2266, Second Series is a resolution Providing for Control Signage in the City of Marshall. This resolution provides for no parking on both the East and West side of Erie Avenue; and no parking on the South side of Erie Road 60 feet East and 60 feet West of the intersection of Erie Road and Erie Avenue. All voted in favor of the motion.

**RESTRICTING PARKING – “C” STREET AND MAIN STREET:**

Doyle moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2267, SECOND SERIES and that the reading of the same be waived. Resolution Number 2267, Second Series is a resolution Providing for Control Signage in the City of Marshall. This resolution provides for no parking on both sides of “C” Street from the intersection of “C” Street and East Main Street to a distance 150 feet Southwest of East Main Street. All voted in favor of the motion.

**STOP SIGN INSTALLATION – CARLSON AND JEWETT STREETS:**

Stores moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2268, SECOND SERIES and that the reading of the same be waived. Resolution Number 2268, Second Series is a resolution Providing for Control Signage in the City of Marshall. This resolution provides for the installation of a stop sign on the westbound leg of Carlson Street at the intersection of Carlson Street and Jewett Street. All voted in favor of the motion.

**JOINT POWERS AGREEMENT WITH MINNESOTA ENVIRONMENTAL SCIENCE AND ECONOMIC REVIEW BOARD (MESERB):**

Edblom moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2269, SECOND SERIES and that the reading of the same be waived. Resolution Number 2269, Second Series is a resolution Approving Joint Powers Agreement with Minnesota Environmental Science and Economic Review Board (MESERB). MESERB is a technical expert watchdog group that monitors state and federal regulations to make sure the current and new standards are necessary; MESERB also contracts with John Hall of Hall & Associates in Washington, DC, who is an expert in environmental issues. The membership dues for Marshall would be \$2,000 for July 1, 2000 – June 30, 2001; and \$3,000 for 2001-2002. This fee would be paid from the Wastewater Fund. All voted in favor of the motion.



**CHANGE ORDER – M.E.R.I.T. PROJECT, FIRE TRAINING TOWER:**

Stores moved, Doyle seconded, the approval of Change Order No. 1 with K.H.C. Construcion for the Fire Tower Project at the M.E.R.I.T. Center. This change order provides for the deduction of \$12,000 for the deletion of the elevator shaft from the project and adds site preparation work for the concrete apron in the amount of \$11,682.85. The net change of this change order is a deduct in the amount of \$317.15. All voted in favor of the motion.

**PROPERTY-AUTO-GENERAL LIABILITY INSURANCE RENEWALS FOR 2000-2001:**

Sheldon Kimpling, agent of record for the City of Marshall's property, auto and general liability insurance, was in attendance at the meeting and reviewed the Property, General Liability, Excess Liability, Airport and Boiler Insurance coverage for 10-1-00 to 10-1-01. Boedigheimer moved, Edblom seconded, that the Property, General Liability and Excess Liability for the period October 1, 2000 to October 1, 2001 be renewed with the League of Minnesota Cities at a cost of \$211,233. The second year fee for the Y2K coverage was deleted. All voted in favor of the motion.

Edblom, moved, Doyle seconded, that the Airport Liability for the period October 1, 2000 to October 1, 2001 be renewed with AIG at a cost of \$3,400. All voted in favor of the motion.

Doyle moved, Boedigheimer seconded, that the Boiler Insurance for the period October 1, 2000 to October 1, 2001 be renewed with Hartford Steam Boiler at a cost of \$9,455. All voted in favor of the motion.

**DEMOLITION OF A SUBSTANDARD BUILDING LOCATED ON PROPERTY TO BE INCLUDED IN PROPOSED TAX INCREMENT FINANCING DISTRICT NO. 3 WITHIN REDEVELOPMENT PROJECT NO. 2:**

Stores moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2270, SECOND SERIES and that the reading of the same be waived. Resolutuion Number 2270, Second Series is a resolution Authorizing the Demolition of a Substandard Building Located on Property to be included in Proposed Tax Increment Financing District No. 3 within Redevelopment Project No. 2. This resolution will allow for the issuance of a demoliton permit upon request from Schwan's without negatively affecting the statutory basis for establishing District #3 within Project Areas #2. All voted in favor of the motion.

**CALL FOR A PUBLIC HEARING ON THE PROPOSED MODIFICATION BY THE HOUSING AND REDEVELOPMENT AUTHORITY OF MARSHALL OF THE MODIFIED REDEVELOPMENT PLAN FOR SCHWAN'S REDEVELOPMENT PROJECT NO. 2 AND THE MODIFICATION OF THE TAX INCREMENT FINANCING PLANS FOR TAX INCREMENT FINANCING DISTRICT NOS. 1 AND 2 AND THE ADOPTION OF THE TAX INCREMENT FINANCING PLAN FOR PROPOSED TAX INCREMENT FINANCING DISTRICT NO. 3:**

Edblom moved, Boedigheimer seconded, the adoption of RESOLUTION NUMBER 2271, SECOND SERIES and that the reading of the same be waived. Resolution Number 2271, Second Series is a resolution amending Resolution Number 2260, Second Series which calls for a Public Hearing on the Proposed Modification by the Housing And Redevelopment Authority of Marshall of the Modified Redevelopment Plan for Schwan's Redevelopment Project No. 2 and the Modification of the Tax Increment Financing Plans for Tax Increment Financing District Nos. 1 and 2 and the Adoption of the Tax Increment Financing Plan for Proposed Tax Increment Financing District No. 3. The public hearing will be held at 7:30 P.M. at a Special City Council meeting to be held on October 25, 2000. All voted in favor of the motion.

**REQUEST FOR PUBLIC HEARING ON DTED APPLICATION:**

Edblom moved, Doyle seconded, that a public hearing be held for the purpose of receiving information and citizen comment regarding the submission on an application to the Minneosta DTED Investment Fund Program. This public hearing will be held at the regular City Council meeting on October 2, 2000 at 7:30 P.M. This application is a part of the total corporate subsidy package currently being assembled to assist Schwan's Sales Enterprises, Inc., with their feasibility on the projects being discussed. All voted in favor of the motion.

**MAYOR AND COUNCILMEMBERS REPORTS:**

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

Byrnes        EDA needs to meet to discuss the sales prices of the lots in the Parkway Housing Addition; Regional Development Commission met last Thursday.

Stores        Community Services Advisory Board discussed the strategic planning, the soccer field grant; the Adult Learning Center is moving; Jeff Kruse gave an update from the School Board; Jt. Ice Facility Board will be meeting at 7:00 A.M. on September 25, 2000.

Edblom        Cable Commission met last week; Planning Commission items were acted on earlier at the council meeting; Utilities Commission will be meeting next week; Ways & Means Committee met last week and their minutes are included in the agenda packet; Personnel Committee needs to meet.

Boedigheimer Airport Commission, Senior Citizen Center Commission, Lyon County Enterprise Development, Jt. LEC, Public Improvement/Transportation Committee have not met; there will be a special Airport Commission meeting on Thursday, September 21 at 4:30 P.M.

Doyle        Housing Commission minutes are included in the agenda packet; Human Rights Commission, Convention & Visitors Bureau have not met.

**COUNCILMEMBER INDIVIDUAL ITEMS:**

Other items of concern brought forth by the Councilmembers included: the Grand Opening was held at the Prairie Expo in Worthington last Friday; Cities Week is October 9 – 13 and activities are being planned; the Chamber is working on an annual event for the City of Marshall; it was suggested that Paula Curry give a presentation on drug use/abuse during Drug Prevention in November; there was a concern about the number of concrete blocks in the river near Legion Field; the street culvert by Legion Field is blocked by timbers and trees; the Legislative and Ordinance Committee needs to review the transient merchants license as it relates to flea markets, craft shows and etc.; discussion was held on the possibility of overlaying the extension of Michigan Road by the new training center for MMUA; and there was also discussion in regard to the 57 acres of land adjacent to Highway 68 being used for a wet land area.

Edblom moved, Stores seconded that the City Council go into closed session at 8:46 P.M. per MN Statutes 471.705 Subd. 1d.e. to consider pending litigation as it relates to the acquisition of property for the Army Corp of Engineers Project. All voted in favor of the motion.

The closed session was adjourned at 9:12 P.M.

There was no action taken on the material discussed during the closed session. During the closed session City Attorney Brian Murphy, had reviewed and made recommendations to the

REGULAR MEETING – SEPTEMBER 18, 2000

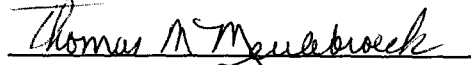
City Council on the acquiring of Parcel Number 231 and 235 for the Army Corp of Engineers Project.

Upon motion made by Stores and seconded by Edblom, the meeting was adjourned at 9:15 P.M.  
All voted in favor of the motion.



Mayor of the City of Marshall

ATTEST:



Finance Director/City Clerk

SPECIAL MEETING – SEPTEMBER 25, 2000

A special meeting of the Common Council of the City of Marshall was held on September 25, 2000 in the Cottonwood Room of the Marshall Municipal Building. The meeting was called to order at 5:37 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, and Thomas M. Meulebroeck, Finance Director/City Clerk.

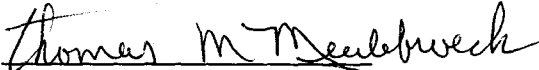
The purpose of this special meeting was to consider strategy for labor negotiations, therefore Reynolds moved, Stores seconded, that this meeting be closed at 5:38 P.M. per MN Statutes 471.705 Subd. 1a for the City Council to consider their strategy for upcoming labor negotiations. All voted in favor of the motion.

The City Council returned to the open meeting at 6:46 P.M. There was no discussion or actions taken.

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

  
Mayor of the City of Marshall

ATTEST:

  
Finance Director/City Clerk

## REGULAR MEETING – OCTOBER 2, 2000

The regular meeting of the Common Council of the City of Marshall was held on October 2, 2000 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 Boedigheimer. Absent: Stores. Staff present included: Michael Johnson, City Administrator; Marc Klaith, Fire Chief; Thomas M. Meulebroeck, Finance Director/City Clerk; Jane DeVries Deputy City Clerk; and City Attorney Brian Murphy 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 addition of item 5a which was the consideration of a grant agreement with MN/DOT for the tractor/loader purchased for the Marshall Municipal Airport; and the addition of item 5b which is the awarding of the contract for the tractor/loader at the Marshall Municipal Airport.

### APPROVAL OF THE MINUTES:

Reynolds moved, Doyle seconded, that the minutes of the regular meeting held on September 18, 2000 and the special meeting held on September 25, 2000 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

### CONSENT AGENDA – TEMPORARY ON-SALE LIQUOR LICENSE SSU GALA BALL; DISPOSAL OF CITY PROPERTY; BILLS/PROJECT PAYMENTS; BUILDING PERMITS:

Rowe moved, Edblom seconded, the approval of a temporary on-sale intoxicating liquor license for the Southwest State University Foundation for the Gala Ball cocktail reception to be held at the Fine Arts Center at 313 West Main Street, on November 4, 2000. The fee for this license is \$25.00. All voted in favor of the motion.

Rowe moved, Edblom seconded, the proper city personnel be authorized to hold a City auction to dispose of surplus city property on October 19, 2000 at the City of Marshall Street Maintenance Shop. All voted in favor of the motion.

Rowe moved, Edblom seconded, and it was unanimously approved that the following bills be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 25605 through 25754.

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

	Applicant	Location Address	Description of Work	Valuation
1.	Sussner Construction, Inc.	303 O'Connell Street	Interior Remodeling	\$15,000
2.	DI Construction	825 West Main Street	Reroof Dwelling	\$2,600
3.	Dennis Lozinski	314 North Whitney Street	Reroof Dwelling	\$6,000
4.	David & Barb Bergstrom	1305 Parkside Drive	Install Windows	\$400
5.	Mildred DeCramer	1003 Silvervine Drive	Reside Dwelling	\$5,800
6.	Jean Neiman	507 East College Drive	Reroof Dwelling	\$2,000
7.	Michael Christensen	1301 East College Drive	Temporary Transportable Sign	\$0
8.	Premier Painting & Construction	609 Kathryn Avenue	Reroof Dwelling	\$1,800

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9.	Geoff & Victoria Cunfer	400 North 5th Street	Interior Remodel	\$7,000
10.	Schlenner Construction Co.	809 Viking Drive	Dwelling	\$245,000
11.	Bladholm Construction, Inc.	115 West College Drive	Interior Remodeling	\$254,000
12.	Christopher Wittrock	620 Soucy Drive	Replace Windows & Reside Dwelling	\$3,500
13.	Joy & Khoneseavanh Sisombat	301 Lawrence Street	Carport	\$500
14.	Richard Binnebose Construction	103 Parkview Drive	Reroof	\$2,700
15.	Carlson Johnson Construction	304 East Lyon Street	Garage	\$10,000
16.	Joyce M. Eischens & Louise E. Eischens	406 Donita Avenue	Garage Addition	\$5,500
17.	French Construction	201 North 7th Street	Porch Remodel and Install Door	\$1,300
18.	Hisken Construction, Inc.	901 Birch Street	Reroof	\$4,500
19.	Schwan's Sales Enterprises, Inc.	508 West Saratoga Street	Demolish Dwelling	\$0
20.	Schwan's Sales Enterprises, Inc.	510 West Saratoga Street	Demolish Dwelling	\$0
21.	True Value Home Center	1117 Skyline Drive	Dwelling	\$170,000
22.	True Value Home Center	416 North 4th Street	Garage Addition	\$7,000

**WEINER MEMORIAL MEDICAL CENTER OPERATING AND CAPITAL BUDGET REPORT:**

At this time Richard Slieter, CEO Weiner Memorial Medical Center, reviewed with the council and others in attendance the operating and capital expenditures budgets for Weiner Memorial Medical Center for the fiscal year ending September 30, 2001. This operating budget shows actual numbers for the fiscal years ending 9/30/98 and 9/30/99 and the forecasted numbers for the current fiscal year. This budget shows a net income from operations of \$528,746, which is an operating margin of 2.4%. The capital expenditures budget includes approximately \$1.7 million. It was indicated that these numbers reflect the deductions required by Medicare. Mr. Slieter also indicated that the current construction project is proceeding on schedule.

**MARSHALL VOLUNTEER FIREFIGHTERS RELIEF ASSOCIATION:**

Russ Labat, President of the Marshall Volunteer Fire Relief Association, reviewed with the council and others in attendance the audit report for the year ending December 31, 1999 and the proposed by-law changes. Mr. Labat indicated that they are requesting that the pension benefits be increased to the maximum allowed by State Statute of \$3,600 per year of service effective January 1, 2001. They are also requesting to increase the disability payment to \$50.00 per day up to a 120 day maximum per year, or \$6,000; and proposing to pay interest to partially vested members. There was some concern about using the term interest and Mr. Labat was instructed to check with the State Auditor in regard to this. Doyle moved, Reynolds seconded, that the request for change in by-laws be referred to the Ways and Means Committee. All voted in favor of the motion.

**ENGINEERING SERVICES WITH TKDA FOR TERMINAL AREA IMPROVEMENTS:**

Gary Schmidt, Chairman of the Airport Commission, was in attendance at the meeting to review with the council the proposed changes at the Marshall Municipal Airport. He provided an overview of

## REGULAR MEETING – OCTOBER 2, 2000

the current Airport Layout Plan for the terminal area and a sketch plan of the revisions currently being considered. The Airport Commission is requesting the approval of a Supplemental Engineering Services Agreement No. 1 with TKDA for Terminal Area improvements. Mr. Schmidt indicated that the proposed engineering work for the terminal area improvements could be eligible for 90% retroactive federal funding. Reynolds moved, Boedigheimer seconded, the proper city personnel be authorized to enter into a Supplemental Engineering Services Agreement No. 1 with TKDA for Terminal Area Improvements for an amount to not exceed \$24,500. All voted in favor of the motion.

### **GRANT AGREEMENT FOR AIRPORT IMPROVEMENT:**

Boedigheimer moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2272, SECOND SERIES and that the reading of the same be waived. Resolution Number 2272, Second Series is a resolution providing Authorization to Execute Minnesota Department of Transportation Grant Agreement for Airport Improvement. This resolution provides for the purchase of a Tractor/Loader for the Marshall Municipal Airport at a cost of approximately \$50,770.00 of which the State of Minnesota will pay \$30,462.00. All voted in favor of the motion.

Bids were received, opened and read on September 15, 2000 for the Tractor/Loader for the Marshall Municipal Airport. Bids received, opened and read were as follows:

Consolidated Ag Service	D & M Implement Inc.
Marshall, Minnesota	Marshall, Minnesota
Base bid \$76,542.00	Base bid \$84,051.40
Trade-in \$18,500.00	Trade-in \$36,380.90
Net Includes Tax \$58,042.00	Sales Tax \$3,098.58
	Total bid \$50,769.08

Rowe moved, Edblom seconded, the bid for the Tractor/Loader for the Marshall Municipal Airport be awarded to D & M Implement Inc., Marshall, Minnesota in the amount of \$50,769.08. All voted in favor of the motion.

### **CHANGE ORDERS NO. 1 AND 2 PROJECT 2000-011, OVERLAY AND SEAL COATING:**

Edblom moved, Doyle seconded, the approval of Change Order No. 1 for Project 2000-011, Overlay and Seal Coating on Various City Streets. This change order provides for the deletion of seal coat quantities from the original contract and adds quantities to overlay additional streets. This change order provides for an increase of \$8,194.71. All voted in favor of the motion.

Edblom moved, Reynolds seconded, the approval of Change Order No. 2 for Project 2000-011, Overlay and Seal Coating on Various City Streets. This change order provides for the Bituminous Surfacing of Michigan Road in the amount of \$33,953.90. A quote was also received from McLaughlin & Schulz Inc., in the amount of \$34,810.00 for Bituminous Surfacing of Michigan Road. All voted in favor of the motion.

### **CHANGE ORDER NO. 2 PROJECT 1998-002, 1999 INDUSTRIAL PARK IMPROVEMENT:**

Rowe moved, Reynolds seconded, the approval of Change Order No. 2 for Project 1998-002, Industrial Park Improvement Project. This change order provides additional contract time due to additional work as outlined in Change Order No. 1. Delays occurred in obtaining permits from the Burlington Northern Railroad and obtaining various easements needed for construction. All voted in favor of the motion.

**PROCLAMATION – CITIES WEEK 2000:**

At this time Mayor Byrnes proclaimed October 8, 2000 through October 14, 2000 as Cities Week 2000 “Building Quality Communities”.

**CALL FOR PUBLIC HEARING DTED:**

Edblom moved, Reynolds seconded, that the Public Hearing on DTED Application for Schwan's Sales Enterprises, Inc., to be changed from October 2, 2000 to October 16, 2000. The process of DTED Application approval is not affected by this change. All voted in favor of the motion.

**TAX RATE AUTHORIZATION FOR 2001:**

Edblom moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2273, SECOND SERIES and that the reading of the same be waived. Resolution Number 2273, Second Series is a Resolution for Tax Rate Authorization for the Year 2001. All voted in favor of the motion.

**MAYOR AND COUNCILMEMBERS REPORTS:**

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

- Byrnes            EDA minutes are included in the agenda packet – they have set the prices for the lots in the Parkway Addition and there will be a ground breaking ceremony on October 16, 2000 at 5:00 P.M.; Fire Relief Association report was given earlier in the meeting; Regional Development Commission has not met.
- Edblom           Cable Commission and Planning Commission will be meeting next week; Utilities Commission and indicated that the preliminary testing in the Cottonwood area is very good; Ways and Means Committee and Personnel Committee need to schedule meetings.
- Boedigheimer No report.
- Doyle            Housing Commission meets next week; Convention and Visitors Bureau and Human Rights Commission minutes are included in the agenda packet.
- Rowe            Insurance Advisory Committee minutes are included in the agenda packet; Library Board will meet next week; Legislative and Ordinance Committee and the M.E.R.I.T. Committee have not met; Jt. Ice Facility met and indicated that there will not be a second sheet of ice this year and they discussed the amount of time that the city receives for their contribution.
- Reynolds        Hospital Board will be meeting in two weeks.

**COUNCILMEMBER INDIVIDUAL ITEMS:**

Other items of concern brought forth by the Councilmembers included: a concern about the crosswalk on Bruce Street by Holy Redeemer School and about sidewalks that are in bad shape. Both of these items were referred to the Public Improvement & Transportation Committee. The removal of trees that are affected by Dutch elm disease was discussed – there are several trees that have not been removed and maybe a bid packet needs to be put together to remove these trees. There should be a guardrail installed on Skunk Hollow Road; the quality of sound of the televised council meetings continues to be a concern; it was indicated that there are pro-active issues that can be addressed in regard to loitering on East College Drive; the council was asked to sign a resolution of support designating October as National Disability Employment Awareness Month.




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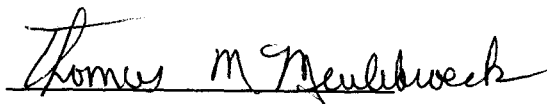
**REVIEW OF PENDING AGENDA ITEMS:**

It was indicated that the city has acquired the Taylor property and that they would be taking possession on November 1, 2000. It was also indicated that the trail system is almost complete – they are finishing laying the sod and all of the trees have been planted.

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

  
\_\_\_\_\_  
Mayor of the City of Marshall

ATTEST:

  
\_\_\_\_\_  
Financial Director/City Clerk

## REGULAR MEETING – OCTOBER 16, 2000

The regular meeting of the Common Council of the City of Marshall was held on October 16, 2000 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: Edblom, Reynolds, Boedigheimer and Stores. Absent: Doyle and Rowe. Staff present included: Calvin Barnett, Director of General Services/City Assessor; Thomas M. Meulebroeck, Finance Director/City Clerk; Bill Toulouse, on behalf of the City Attorney; Rob Yant, Director of Public Safety; Harry Weilage, Director of Community Services; Bob VanMoer, Wastewater Superintendent; Dale Howe, Building Official; Marc Klaith, Fire Chief; Jane DeVries, Deputy City Clerk; and City Administrator Michael Johnson 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 as presented.

### **APPROVAL OF MINUTES:**

Reynolds moved, Edblom seconded, that the minutes of the regular meeting held on October 2, 2000 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

### **CONSENT AGENDA - CONSIDER DATE CHANGE FOR DTED APPLICATION PUBLIC HEARING; CALL FOR PUBLIC HEARING ON CORPORATE SUBSIDY AGREEMENT WITH SCHWAN'S SALES ENTERPRISES, INC.; CONSIDER LETTER OF SUPPORT FOR CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP); BILLS/PROJECT PAYMENTS; BUILDING PERMITS:**

Edblom moved, Stores seconded, that the following consent agenda items be approved:

1. The date for the Schwan's Sales Enterprise Inc., DTED Application public hearing be changed from October 16, 2000 to October 25, 2000;
2. That the public hearing on the Corporate Subsidy Agreement with Schwan's Sales Enterprises, Inc., be held at 7:30 P.M. on October 25, 2000;
3. That the City of Marshall submit a letter for Conservation Reserve Enhancement Program (CREP) indicating the City's support on legislation appropriating funding toward conservation initiatives. There is no cost to the City of Marshall; and
4. That the following bills/project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 25755 through 25979.

All voted in favor of the motion.

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

	<b>Applicant</b>	<b>Location Address</b>	<b>Description of Work</b>	<b>Valuation</b>
1.	Sussner Construction, Inc.	1001 East College Drive	Car Wash	\$83,200
2.	Alan Carpenter	608 Donita Avenue	Install Bathroom	\$1,000
3.	Glenn Bayerkohler	601 Arbor Court	Basement Room	\$2,000

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4.	Space Development Co.	607 West Main Street	Remodel Third Floor	\$93,900
5.	Hy-Vee Weitz Construction L.C.	904 East Main Street	Retail Store	\$220,600
6.	Neal Ingebrigtsen	701 South 1st Street	Retail Store	\$4,500
7.	Art-N-Sign, Inc.	503 North Highway 59	Install Signs	\$3,500
8.	Corrine Lantgen	305 Timberlane Drive	Safety Disclosure Repairs	\$500
9.	Joseph Amato	202 Park Avenue	Install Windows	\$1,300
10.	George J. Jacob Construction	1300 North Highway 59	Install Doors	\$1,800
11.	Babcock Construction	1114 Horizon Drive	Reside Dwelling	\$10,000
12.	Genevieve Albertson	310 Legion Field Road	Exterior Remodeling, Interior Partition	\$1,000
13.	True Value Home Center	502 Dogwood Avenue	Addition	\$48,000
14.	True Value Home Center	222 North High Street	Dwelling Addition & Garage	\$40,000
15.	Shirley Clifton	108 "C" Street	Reroof Garage	\$500
16.	Katie Kor	600 West Lyon Street	Reroof Porch	\$500
17.	True Value Home Center	205 Stephen Avenue	Dwelling	\$85,000
18.	Carr Properties	500 North 7th Street	Warehouse	\$275,000
19.	Denny Miller Construction	1008 West College Drive	Demolish Garage	\$0
20.	Denny Miller Construction	1008 West College Drive	Addition	\$12,000
21.	Pride Neon, Inc.	1001 North Highway 23	Install Sign	\$1,100
22.	Vincent Buysse	411 West Lyon Street	Deck	\$3,000
23.	Haugen Construction, Inc.	102 South Hill Street	Install Windows & Door	\$1,000

## **PUBLIC HEARINGS – CORPORATE SUBSIDY POLICY AND CRITERIA MODIFICATION:**

This was the date and time set for a public hearing on the amended Business Subsidy Policy and Criteria. Calvin Barnett, Director of General Services/City Assessor, indicated that the 2000 Legislature made certain changes to the Corporate Subsidy Act, which requires the City of Marshall to modify their Corporate Subsidy Policy and Criteria. Mr. Barnett reviewed these changes with the council and others in attendance at the meeting. Edblom moved, Reynolds seconded, the public hearing be closed. All voted in favor of the motion.

Reynolds moved, Stores seconded, the approval of the Amended Business Subsidy Policy and Criteria for the City of Marshall. All voted in favor of the motion.

## **CONSIDER RESOLUTION OF APPRECIATION:**

Boedigheimer moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2274, SECOND SERIES and that the reading of the same be waived. Resolution Number 2274, Second

## REGULAR MEETING – OCTOBER 16, 2000

Series is a resolution of appreciation for former Fire Chief David R. Marks. Dave Marks served the City as our Fire Chief from January 1990 to July 2000, 1<sup>st</sup> and has also held the position of Assistant Chief, 2<sup>nd</sup> Assistant Chief, Captain, Lieutenant, Fireman, Fire Marshall, Secretary and Trustee. Mr. Marks was in attendance at the meeting to receive this resolution of appreciation. All voted in favor of the motion.

### **REQUEST OF TERRY AND CINDY VERSCHAETSE FOR A VARIANCE ADJUSTMENT PERMIT TO CONSTRUCT A DWELLING ADDITION AND A GARAGE ADDITION WITH A SIDE YARD OF LESS THAN REQUIRED BY ORDINANCE IN AN R-1 ONE FAMILY RESIDENCE DISTRICT AT 302 NORTH HIGH STREET:**

A discussion was held at this time on the request from Terry and Cindy Verschaetse for a variance adjustment permit to construct a dwelling addition and a garage addition with a side yard of less than required by ordinance in an R-1 One Family Residence District at 302 North High Street. Mr. Verschaetse was in attendance at the meeting and reviewed his request with the council. Edblom moved, Boedigheimer seconded, the approval of a Variance Adjustment Permit for Terry and Cindy Verschaetse at 302 North High Street to construct a dwelling addition and a garage addition with a side yard of less than required by ordinance in an R1 One Family Residence District. Dale Howe, Building Official was in attendance at the meeting and indicated that the original request was for a 34' garage but that the Planning Commission approved a 26' garage. Mr. Howe indicated that Mr. Verschaetse informed him that the garage needs to be 28' in order to enclose entrances into the house. Edblom moved, Boedigheimer seconded, the motion be amended to allow for the garage to be 28' long. All voted in favor of the motion as amended. All voted in favor of the motion.

### **WEINER MEMORIAL MEDICAL CENTER – BIDS FOR CT SCAN PORTION OF PHASE IV CONSTRUCTION PROJECT:**

Richard Slieter, CEO Weiner Memorial Medical Center, was in attendance at the meeting to review the bids received for the CT Scan portion of Phase IV Construction Project. Upon the recommendation of Mr. Slieter, Reynolds moved, Edblom seconded, the bids for the CT Scan portion of Phase IV of Weiner Memorial Medical Center be awarded to:

General Construction Work – Sussner Construction in the amount of \$76,800

Mechanical Work – Bisbee Plumbing & Heating in the amount of \$38,901

Electric Work – R. C. Peterson Electric, Inc., in the amount of \$18,915

All voted in favor of the motion.

### **AUTHORIZATION TO ADVERTISE FOR BIDS ON WASTEWATER TREATMENT FACILITY EFFLUENT FILTER/BIOSOLIDS STORAGE PROJECT:**

Edblom moved, Stores seconded, that the proper city personnel be authorized to advertise for bids for the Wastewater Treatment Facility Effluent Filter/Biosolids Storage Project. These bids are to be received on November 15, 2000. All voted in favor of the motion.

### **RESOLUTION AMENDING BUSINESS SUBSIDY AGREEMENT BETWEEN THE CITY OF MARSHALL AND ICEBERG ACQUISITIONS, INC:**

Stores moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2275, SECOND SERIES and that the reading of the same be waived. Resolution Number 2275, Second Series is a resolution Amending Business Subsidy Agreement Between the City of Marshall and Iceberg Acquisitions, Inc. This resolution provides the amended Subsidy Agreement to include, as a subsidy, the \$50,000 Minnesota Investment Fund loan, received as a grant by the City of Marshall and to be conveyed as a loan to Iceberg Acquisitions, Inc. All voted in favor of the motion.

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**ACCEPTANCE OF CULTURAL PERFORMANCE COORDINATOR GRANT AGREEMENT:**

Reynolds moved, Stores seconded, that the City of Marshall accept the Cultural Performance Coordinator Grant in the amount of \$10,000. This grant will provide for the "Cultural Performance Coordinator" project. This project will run from October 1, 2000 through July 30, 2001 and will coordinate after school programs at the Marshall Junior High utilizing a blended cultural theme. All voted in favor of the motion.

**UPDATE ON SOUTHWEST AREA RECREATION PROJECTS:**

Harry Weilage reviewed with the Council and others in attendance the status of the Southwest Area Recreation Projects. He indicated that the City of Marshall has received grants totaling \$169,000 to assist in the development and renovation of soccer fields and athletic facilities. He also, indicated that the City of Marshall was encouraged to re-submit the golf portion of their proposal and have already done this. They are hoping to here on this request soon.

**CONSIDER APPROVAL OF PARTNERSHIP AGREEMENT WITH MARSHALL MUNICIPAL UTILITIES:**

Edblom moved, Reynolds seconded, the approval of the Partnership Agreement between the City of Marshall and Marshall Municipal Utilities for the year ending 2001. A summary of the agreement is as follows:

MMU payment in lieu of taxes	\$631,505
Less street lighting charges to be Paid to MMU (1)	\$151,000
Less fire protection charges (1)	\$145,000
Net payment to the City after charges Paid to MMU and transfer	\$335,505

(1) Charges based on MMU's Audit  
All voted in favor of the motion.

**2000 TREE REMOVAL AND STUMP GRINDING PROGRAM -RESOLUTION DECLARING COST TO BE ASSESSED; RESOLUTION FOR HEARING ON PROPOSED ASSESSMENT; RESOLUTION ACCEPTING BID:**

Reynolds moved, Stores seconded, the adoption of RESOLUTION NUMBER 2276, SECOND SERIES and that the reading of the same be waived. Resolution Number 2276, Second Series is a resolution Declaring Cost to be Assessed for the removal of diseased trees at various locations in the City of Marshall. This resolution provides for the assessments to be payable in equal annual installments over 8 years at 8% interest. All voted in favor of the motion.

Stores moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2277, SECOND SERIES and that the reading of the same be waived. Resolution Number 2277, Second Series is a resolution Calling for a Hearing on the Proposed Assessment. This hearing will be held at 7:30 P.M. on November 6, 2000. All voted in favor of the motion.

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Bids were received, opened and read at 2:00 P.M. on October 11, 2000 for the removal of diseased trees and stump grinding at various locations within the City of Marshall. Bids received, opened and read were as follows:

Rye's Tree Service  
Porter, Minnesota  
\$2,630.00

Reynolds moved, Boedigheimer seconded, the adoption of RESOLUTION NUMBER 2278, SECOND SERIES and that the reading of the same be waived. Resolution Number 2278, Second Series is a resolution Accepting the Bid for the Removal of Diseased Trees at various Locations within the City of Marshall. This bid was awarded to Rye's Tree Service, Porter, Minnesota in the amount of \$2,630.00. All voted in favor of the motion.

### **LONDON ROAD IMPROVEMENTS; RESOLUTION DECLARING COST TO BE ASSESSED; RESOLUTION ADOPTING ASSESSMENT:**

Edblom moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2279, SECOND SERIES and that the reading of the same be waived. Resolution Number 2279, Second Series is a resolution Declaring Cost to be Assessed for improvements to London Road between the centerline of Madrid Street to a point approximately 640 feet north of the centerline of Madrid Street. This resolution provides for the assessments to be payable in equal annual installments over 8 years at 8% interest. All voted in favor of the motion.

Reynolds moved, Stores seconded, the adoption of RESOLUTION NUMBER 2280, SECOND SERIES and that the reading of the same be waived. Resolution Number 2280, Second Series is a resolution Adopting the Assessment for curb and gutter, and bituminous surfacing of London Road between the between the center line of Madrid Street to a point approximately 640 feet north of the center line of Madrid Street. All voted in favor of the motion.

### **TECHNOLOGY PARK ADDITION; RESOLUTION REFERRING AN AMENDMENT TO THE COMPREHENSIVE PLAN TO THE PLANNING COMMISSION; INTRODUCTION OF ORDINANCE AMENDING THE ZONING ORDINANCE IN REGARD TO PLANNED UNIT DEVELOPMENTS; REQUEST TO PLANNING COMMISSION TO CHANGE ZONING FROM (I-1) LIMITED INDUSTRY TO (PUD) PLANNED UNIT DEVELOPMENTS:**

City Administrator Michael Johnson reviewed the Technology Park Addition and what has taken place over the past few years. Mr. Tom Osterberg of the Industrial Group was also in attendance at the meeting. The Technology Park Addition is currently zoned I-1, Limited Industry, but a proposal to build an 80,000 square foot office building in Marshall has prompted the Marshall Industrial Development Committee and the City of Marshall to evaluate the zoning. This type of zoning does not allow office buildings. In order for the Industrial Development Committee and the City (as owner of the park) to address this issue a number of items need to occur.

Stores moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2281, SECOND SERIES and that the reading of the same be waived. Resolution Number 2281, Second Series is a resolution referring to the Planning Commission an Amendment to the Marshall, Minnesota Comprehensive Plan. This resolution asks the Planning Commission to amend the Comprehensive

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Plan to ensure that the underlying land use is compatible with the proposed development. All voted in favor of the motion.

Edblom moved, Boedigheimer seconded, the introduction of an ordinance for Planned Unit Developments. This ordinance would provide for Planned Unit Developments (PUD's) to be stand-alone districts and not conditional uses in the various zoning districts. All voted in favor of the motion.

Stores moved, Boedigheimer seconded, that a request be made for the Planning Commission to change the zoning from (I-1) Limited Industry to (PUD) Planned Unit Developments for the Technology Park. All voted in favor of the motion.

A 5-minute recess was called at this time.

### **CONSIDER CHANGE ORDER NO. 1 FOR PROJECT 2000-003 – GENESIS AVENUE IMPROVEMENT PROJECT:**

Boedigheimer questioned the cost of the change order for Genesis Avenue. He indicated that the cost to cap an abandoned well was extremely high. He was also concerned about the additional cost not being assessed back to the property owners. Stores moved, Edblom seconded, the approval of Change Order No. 1 for H & W Contracting, LLC., Sioux Falls, South Dakota for Project No. 2000-003, Genesis Avenue. This change order is an increase in the contract in the amount of \$14,012.50 and includes the following items:

1. Modifications to the storm sewer system to provide inlets more compatible with the drive-over style curb than those originally planned. Net increase to contract amount of \$3,426.
2. The excavation to the proposed street grades left the existing watermain with inadequate cover. Therefore the existing watermain was lowered for a distance of approximately 1,250 feet causing an increase to the contract in the amount of \$5362.50.
3. An existing well discovered in the street right-of-way was abandoned and capped by certified well driller as required by law, increasing the contract amount by \$2,040.
4. An existing building foundation was discovered within street right-of-way and was removed, increasing the contract in the amount of \$3,184.

All voted in favor of the motion, except Boedigheimer who voted no.

### **CONSIDER CHANGE ORDER NO. 2 FOR M.E.R.I.T. CENTER FIRE TRAINING TOWER PROJECT:**

Boedigheimer moved, Reynolds seconded, the approval of Change Order No. 2 for K.H.C. Construction, Inc., Marshall, Minnesota for the M.E.R.I.T. Center Fire Training Tower Project. This project is for a deduct in the amount of \$4,490 due to a donation by the company of Ebert and Hinson for the dry standpipe system for the project. All voted in favor of the motion.

### **REVIEW PROPOSAL SUBMITTED TO LYON COUNTY ON CREATION OF WATERSHED DISTRICTS:**

Dennis Simpson was in attendance at the meeting and reviewed the Proposal submitted to Lyon County on Creation of Watershed Districts. Mr. Simpson indicated that various discussions have taken place with the county regarding the proposed establishment of two separate watershed districts. The first watershed district is called the "Upper Redwood River and Meadow Creek Watershed District" and the second watershed district is called the "Lower Redwood River Watershed District". Mr. Simpson's recommendations were as follows:

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1. That the city opposes splitting the districts as such. If there is going to be a petition for the creation of watershed districts, Mr. Simpson believes it should be for one geographic and hydrologic area encompassing the Redwood River from source to outlet. That would be consistent with other watershed districts throughout the state. It would also be consistent with the intent of the statutes for water management within the geographic and hydrologic area.
2. If a watershed district or districts are formed; Mr. Simpson would recommend that the county maintain control of existing drainage systems within that geographic boundary. The government entities involved in the flood control project for the City of Marshall have approved the crossover flow of water from the Redwood to the Cottonwood River watersheds. The agreement is in place and needs to remain in place and needs to be enforceable if flooding conditions should ever occur such that the water would overflow from one watershed to the next.
3. If watershed district or districts are formed, Mr. Simpson would make certain that the City of Marshall's interest are adequately represented on the board of managers by seeking citizen involvement and appointment to the board of managers.
4. Boedigheimer moved, Edblom seconded, that these recommendations be accepted. All voted in favor of the motion.

### TEMPORARY LOAN ON CORPS OF ENGINEERS FLOOD CONTROL PROJECT:

Stores moved, Edblom seconded, that until such time that the City is reimbursed from the State for its share of cost associated with the Corp of Engineers Flood Control Project a loan in the amount of \$200,000 be made from the Liquor Fund to the Corp of Engineers Flood Control Project Fund 481. This interest on this loan will be 6%. All voted in favor of the motion.

### COUNCILMEMBER COMMISSION/BOARD LIAISON REPORTS:

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

- Byrnes      EDA met last Tuesday and the minutes are included in the agenda packet
- Stores      Community Services Advisory Board had a presentation on the proposed downtown park; Downtown Design Committee needs to start reviewing the applications.
- Edblom      Cable Commission met last week and toured the McCloud studio at the high school; Planning Commission items were discussed earlier and they will have a special meeting on November 1, 2000; Utilities Commission will meet on Tuesday; Ways & Means Committee discussed one item; and the Personnel Committee needs to meet.
- Boedigheimer      Airport Commission minutes are included in the agenda packet and he did indicate that effective in 2000 the Airport hangers are subject to real estate taxes; Senior Citizen Center Commission met last week; Lyon County Enterprise Development met last Thursday.
- Reynolds      Hospital Board met earlier this evening, Mark Sannerud is leaving the hospital; the new generator building is near completion; bids are to be awarded for the CT Scan building; and they toured the medical facility at the mall.



REGULAR MEETING – OCTOBER 16, 2000

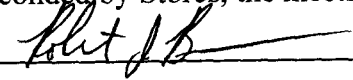
**COUNCILMEMBER INDIVIDUAL ITEMS:**

Other items of concern brought forth by the Councilmembers included: the trees in the downtown area need to be trimmed again; the appreciation breakfast was well attended; there will be a Crime Free Housing presentation on Sunday; there is a Cultural Diversity Conference at SSU on November 16, 2000 at 7:00 P.M. and a Drug Awareness Program will be held at the high school.

**REVIEW OF PENDING AGENDA ITEMS:**

There will be phone interview next week with the candidates for the Engineer position.

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

  
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Mayor of the City of Marshall

ATTEST:

  
\_\_\_\_\_  
Finance Director/City Clerk

SPECIAL MEETING – OCTOBER 25, 2000

A special meeting of the Common Council of the City of Marshall was held on October 25, 2000 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, Reynolds, and Boedigheimer. Absent: Rowe and Stores. Staff present were: Michael Johnson, City Administrator; Calvin Barnett, Director of General Services/City Assessor; and Jane DeVries, Deputy City Clerk.

**PUBLIC HEARING ON THE DEPARTMENT OF TRADE AND ECONOMIC DEVELOPMENT GRANT APPLICATION FOR SCHWAN'S SALES ENTERPRISES, INC.:**

This was the date and time set for a public hearing on the Department of Trade and Economic Development Grant Application for Schwan's Sales Enterprises, Inc., Research and Development Project. Mr. Barnett reviewed this grant application with the City Council. Mr. Barnett indicated Schwan's proposal for Corporate Investment included: Beverage Plant Project \$700,000; Distribution Center Project \$4.2 m; and Research and Development Center Project \$9.0m. He indicated that there would be 51 new jobs; \$168,000 in new taxes; approximately 30 new houses, more students within the school system; and would strengthen the private/public partnership. Ann Peterson, Praireland EDC, indicated that the loan would be in the amount of \$223,300 of which \$100,000 would be paid back at 4% interest over 10 years and the other \$123,000 is a 0% deferred loan as long as the 51 jobs are created and retained for five years. Doyle moved, Reynolds seconded, the public hearing be closed. All voted in favor of the motion.

Doyle moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2282, SECOND SERIES and that the reading of the same be waived. Resolution Number 2282, Second Series is a Local Government Resolution for the Economic Development Program. This resolution provides for the proper city personnel to apply for financial assistance and to execute such agreements and amendments as are necessary to implement the project(s) on behalf of the applicant. All voted in favor of the motion.

**PUBLIC HEARING – MODIFIED REDEVELOPMENT PLAN FOR SCHWAN'S REDEVELOPMENT PROJECT NO. 2, MODIFYING THE TAX INCREMENT FINANCING PLANS FOR TAX INCREMENT FINANCING DISTRICTS NOS 2-1 AND 2-2, AND APPROVING THE TAX INCREMENT FINANCING PLAN FOR PROPOSED TAX INCREMENT FINANCING DISTRICT NO. 2-3, ALL LOCATED WITHIN SCHWAN'S REDEVELOPMENT PROJECT NO. 2:**

This was the date and time set for a public hearing on the Modified Redevelopment Plan For Schwan's Redevelopment Project No. 2, Modifying the Tax Increment Financing Plans for Tax Increment Financing Districts Nos 2-1 and 2-2, And Approving the Tax Increment Financing Plan for Proposed Tax Increment Financing District No. 2-3, all Located Within Schwan's Redevelopment Project No. 2. Mr. Barnett, Director of General Services, reviewed the plan with the Council. Councilperson Boedigheimer made reference to the letter from the County Commissioners in reference to the district being created for up to 25 years. Reynolds moved, Doyle seconded, the public hearing be closed. All voted in favor of the motion.

Edblom moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2283, SECOND SERIES and that the reading of the same be waived. Resolution

SPECIAL MEETING – OCTOBER 25, 2000

Number 2283, Second Series is a resolution Approving the Modified Redevelopment Plan For Schwan's Redevelopment Project No. 2, Modifying the Tax Increment Financing Plans for Tax Increment Financing Districts Nos 2-1 and 2-2, And Approving the Tax Increment Financing Plan for Proposed Tax Increment Financing District No. 2-3, all Located Within Schwan's Redevelopment Project No. 2. All voted in favor of the motion.

**PUBLIC HEARING – BUSINESS SUBSIDY AGREEMENT BETWEEN THE CITY AND SCHWAN'S SALES ENTERPRISES, INC.:**

This was the date and time set for a public hearing on the Business Subsidy Agreement between the City of Marshall and Schwan's Sales Enterprises, Inc. Michael Johnson, City Administrator, reviewed this agreement with the council. He indicated that this Subsidy Agreement is comprised of three parts, which are subject to the following terms and conditions:

1. A PAYG Note in the principal amount of \$965,000, at 8% interest, will be issued by the City to the Recipient to reimburse the Recipient for qualifying site improvements for the Projects.
2. A 10-year non-forgivable loan will be provided by the City to the Recipient from a grant received by the City from DTED to assist in the financing of the Projects. The loan is for \$100,000 at 4% interest.
3. A deferred forgivable loan will be provided by the City to the Recipient from a grant received by the City from DTED to assist in the financing of the Projects. The loan is for \$123,000 at 0% interest.

Reynolds moved, Doyle seconded, the public hearing be closed. All voted in favor of the motion.

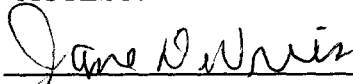
Doyle moved, Edblom seconded, the adoption of RESOLUTION NUMBER 2284, SECOND SERIES and that the reading of the same be waived. Resolution Number 2284, Second Series is a resolution Approving Business Subsidy Agreement Between the City and Schwan's Sales Enterprises, Inc. All voted in favor of the motion.

At this time Mike Johnson thanked Calvin Barnett for all of his hard work on the project and the Mayor thanked both Mike and Cal for all of their hard work.

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

  
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Mayor of the City of Marshall

ATTEST:

  
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Deputy City Clerk

## SPECIAL MEETING – OCTOBER 30, 2000

A special meeting of the Common Council of the City of Marshall was held on October 30, 2000 in the Cottonwood Room of the Marshall Municipal Building. The meeting was called to order at 7:00 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Rowe, Doyle, Edblom, Reynolds and Stores. Absent: Boedigheimer. Staff present included: Mike Johnson, City Administrator; Harry Weilage, Director of Community Services; and Thomas M. Meulebroeck, Finance Director/City Clerk who arrived late.

Stan Finnestad, Chairperson of the EDA, was in attendance at the meeting to review with the City Council a resolution approving a bond issue of the Marshall Economic Development Authority to undertake the acquisition, construction and operation of an 18-unit multifamily housing facility located in the City of Marshall. The EDA intends to finance the operation in part through the issuance of \$760,000 Essential Function Housing Revenue Bonds of 2000. Rowe moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2285, SECOND SERIES, and that the reading of the same be waived. Resolution Number 2285, Second Series is a resolution of the Marshall City Council Approving a Bond Issue of the Marshall Economic Development Authority in the amount of \$760,000. All voted in favor of the motion.

Representatives from the Marshall Lyon County Library, MAFAC, Big Buddies, the Lyon County Historical Society, and the Lyon County Humane Society were in attendance at this meeting to review with the City Council their request for the 2001 City of Marshall funding from the General Fund. Steve Lindstrom and Lu Anderson from the Marshall Lyon County Library reviewed with the City Council the mission statement of the library and its objectives. They did indicate that the library circulation is up approximately 5%. The budget for the Marshall Lyon County Library includes an appropriation from the City of Marshall's General Fund in the amount of \$377,040. This is up approximately 3% or \$10,983 over the year 2000. Their budget also includes a request for \$5,000 for the carpet in the children's area of the library.

Karen Reede, Von Jones, Carol Marshall and Sunny Jundt were in attendance at the meeting to discuss a budget request of \$2,500 for the Marshall Area Fine Arts Council (MAFAC). This request is up \$500 over the 2000 budget appropriation. The City Council did request a budget layout from the Marshall Area Fine Arts Council to better determine the City Council's appropriation for their funding.

Diane Gunvalson on behalf of the Western Community Action, Inc., was in attendance at the meeting and did address the benefits of the Big Buddies program and was requesting an appropriation of \$2,000. Ms. Gunvalson indicated that they raise approximately 25% of their own funding and the United Way provides another 25% of their funding. Ms. Gunvalson did indicate that the Big Buddies program does not really fit under specific public entity. Ms. Gunvalson was commended for her excellent efforts that she has contributed towards the Big Buddies program and in working with other organizations.

## SPECIAL MEETING – OCTOBER 30, 2000

Ellayne Conyers and Christy Coudron were in attendance at the meeting on behalf of the Lyon County Historical Society. Ms. Conyers did address the goals for the year 2001 for the Historical Society. The Historical Society was requesting \$13,480 for funding for the year 2001. This request is up from \$13,000 in 2000.

Gayle Bofferding and Mark Farrell were in attendance at the meeting on behalf of the Humane Society of Lyon County. They did provide information on the number of animals that have utilized their facility from either the city or county, the costs they have incurred to date for the holding of animals, the actual and anticipated year end numbers as it relates to the number of animals and cost that they intend to incur, and the cost per animal for their stay at the facility. Ms. Bofferding did address a concern that they have with the number of volunteer hours being down and with the potential increase in utilities for their operation. The Humane Society was requesting \$12,000 for the year 2001. This amount is up from \$8,733 in 2000.

A 5-minute break was taken at 8:25 P.M.

Mike Johnson, City Administrator, did provide an overview of the proposed General Fund Budget for the year 2001. The preliminary budget that was submitted for 2001 for General Fund provided for expenditures in excess of revenues by approximately \$1,286,000. The current preliminary budget provides for expenditures in excess of revenues by \$446,000. The current proposed budget for the year 2001 for the General Fund includes an increase in personnel services of approximately 9.11%; O & M expense an increase of 6.13%, the capital expenditure reflect a decrease of .87%, and an increase in Debt Service/Transfer of 20.18%. Mr. Johnson also indicated that the expenditures for the departments within the General Government category are up approximately 10.96%, the departments within the Public Safety category are up 10.32%, the expenditures within the Public Works category are up 3.22%, and the departments within the Cultural and Recreation category are up 1.77% and that the expenditures in Debt Service/Transfers are up 62.38%.

Other expenditures that Mike did address that are included in the 2001 budget included approximately \$100,000 within the Assessing budget for personnel, \$9,000 within the Administrators budget for an intern position, \$18,000 within the Municipal Building budget for the retirement of Ed Wacha, \$30,000 within the Municipal Building for voice mail, and \$4,700 within the Safety Committee for the Safety Program. The Police Department budget includes an increase in two full-time positions, which would potentially reduce some of the part-time within this department. The Emergency Management Services department includes \$26,000 for a siren. Within the Public Works area there is money within the Airport budget for some improvements. The Community Services budget includes expenditure for a \$50,000 contribution for a soccer field. The amount that is included as a transfer to the insurance reserve account was also reviewed based on the potential liabilities that there may be.

There were some modifications within the Community Services budget to provide for the Minority Child Advocate Grant and Community Plus Grant to be included under the youth development category rather than under the Community Services expenditures.

SPECIAL MEETING – OCTOBER 30, 2000

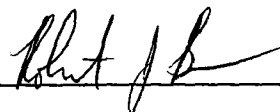
The Public Safety/Police Department budget includes expenditures for a full year for the COP'S and Gang Strike Force Grants. The increase for full-time personnel within the police department is due to the difficulties that there are having in getting part-time help within this department. In reviewing the revenues and expenditures a request was made to provide a report to the City Council that identifies specific revenues that are related to the expenditures of a specific department.

Some areas that were suggested to give further consideration to in the budget were: the potential of reducing the amount within the Assessing budget by approximately \$15,000 in the personnel area; that the siren within the Emergency Management Services area be reconsidered; the additional positions within the Police Department be reviewed; the replacing of the roof on the Senior Center potentially being considered an expense under the insurance reserve account; the amount being transferred to the insurance reserve being potentially reduced by \$50,000; that the capital expenditure for the Legion Field Bleacher improvement be deleted as well as the 600 feet of curb around the play area at Independence Park and the possibility that the \$50,000 included as a capital expenditure within the Parks Department for the soccer field at SSU be considered as an expenditure in the "429" Public Improvement Revolving Fund. These modifications to the General Fund could reduce the General Fund expenditures by approximately \$210,000. Based on the discussions that took place on the General Fund Expenditures, Mr. Johnson did indicate that he would re-examine the areas of personnel, the O & M cost to try and reduce it down to approximately a 3 ½% increase and to do a further review of the capital outlay request.

During the past year there have been other areas of concern that have been brought forth that may need some review as the budget for 2001 is being prepared. These areas include the removal of diseased trees; improvements to sidewalks; a microphone system in the council chambers; and the pruning of the trees in the downtown area.

The next meeting for the 2001 Budget Review was scheduled for November 13, 2000 at 7:00 P.M.

With no further business brought before the council, Stores moved, Edblom seconded, the meeting be adjourned. All voted in favor of the motion.

  
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Mayor of the City of Marshall

ATTEST:



Finance Director/City Clerk

## REGULAR MEETING – NOVEMBER 6, 2000

The regular meeting of the Common Council of the City of Marshall was held on November 6, 2000 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, Reynolds, Boedigheimer, and Stores. Absent: Rowe. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Thomas M. Meulebroeck, Finance Director/City Clerk; Marc Klaith, Fire Chief; 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 as presented.

### APPROVAL OF MINUTES:

Doyle moved, Reynolds seconded, that the minutes of the regular meeting held on October 16, 2000, the minutes of the special meeting held on October 25, 2000 and the special meeting held on October 30, 2000 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

### CONSENT AGENDA - APPROVAL OF CONSENT AGENDA; APPLICATION FOR PLUMBERS LICENSE FOR FRED PAUL DBA FRESH PLUMBING & HEATING; RESOLUTION ACCEPTING DEED TO LOT 3, MCFARLAND THIRD ADDITION (STREET R.O.W.); BILLS/PROJECT PAYMENTS; BUILDING PERMITS:

Edblom moved, Reynolds seconded, that the following consent items be approved:

1. A plumbers license for Fred Paul DBA Fresh Plumbing & Heating at a fee of \$50.00. This license will expire on March 31, 2001.
2. The adoption of RESOLUTION NUMBER 2286, SECOND SERIES and that the reading of the same be waived. Resolution Number 2286, Second Series is a resolution Accepting a Deed to the City of Marshall, Minnesota from D. C. and Dorothy McFarland.
3. That the following bills/project payments be authorized for payment: ACCOUNTS PAYABLE: Voucher No. 25980 through 26125.

All voted in favor of the motion.

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

Applicant	Location Address	Description of Work	Valuation
1. Lumber One - Cold Spring	1103 Paris Road	Four-Unit Apartment Bldg.	\$266,900
2. Lumber One - Cold Spring	1105 Paris Road	Five-Unit Apartment Bldg.	\$333,600
3. Lumber One - Cold Spring	1107 Paris Road	Four-Unit Apartment Bldg.	\$266,900
4. Lumber One - Cold Spring	1109 Paris Road	Five-Unit Apartment Bldg.	\$333,600
5. Rhonda DeVos	501 West Thomas Avenue	Deck and Install Door	\$2,200
6. William Krakowski	904 North 4th Street	Garage	\$9,000
7. D&G Excavating	222 North High Street	Move Out Garage	\$0
8. Sussner Construction, Inc.	1604 Superior Road	Demolish Office	\$0

# REGULAR MEETING – NOVEMBER 6, 2000

9.	Seneca, Corp.	904 East Main Street	Canopy	\$61,500
10.	Johnson Construction	709 South 2nd Street	Replace Doors & Window	\$2,100
11.	Roger & Sharon Lipinski	607 Donita Avenue	Replace Windows	\$1,000
12.	Bakke's Home Repair & Construction	600 Kendall Street	Install Window	\$600
13.	French Construction	108 South High Street	Garage	\$13,000
14.	Snell Services	702 East Southview Drive	Interior Remodel	\$2,500
15.	Rick Ramert	502 North Bruce Street	Garage Remodel	\$500
16.	Barry & Lana Wohler	1104 David Drive	Dwelling	\$157,000
17.	Dennis Lozinski	510 Lawrence Street	Reroof Dwelling	\$3,500
18.	Dennis Lozinski	506 East Main Street	Reroof Dwelling	\$2,400
19.	REM Southwest Services, Inc.	1007 North 4th Street	Remove Window	\$500
20.	Hagedon Construction	802 North 6th Street	Reroof Dwelling	\$4,000
21.	Margaritta Ibarra	108 Spruce Lane	Safety Disclosure Repairs	\$200
22.	Terry Verschaetse	302 North High Street	Demolish Garage	\$0
23.	North Star Modular Homes	218 Rainbow Drive	Prebuilt Dwelling	\$35,000
24.	North Star Modular Homes	220 Rainbow Drive	Prebuilt Dwelling	\$35,000
25.	North Star Modular Homes	223 Rainbow Drive	Prebuilt Dwelling	\$35,000
26.	North Star Modular Homes	702 South Saratoga Street	Prebuilt Dwelling	\$48,000
27.	Hess Flooring	601 North Highway 59	Interior Remodel	\$1,200
28.	Craig & Debra Schafer	505 West Marshall Street	Exterior Remodel	\$7,400
29.	ACMC-Willmar	1420 East College Drive	Sign	\$9,300
30.	Ted Geary	902 Pine Street	Install Window	\$1,300
31.	Paxton Signs, Inc.	1501 East College Drive	Signs	\$5,000
32.	Terry Verschaetse	302 North High Street	Addition	\$27,000
33.	St. Aubin Drywall	1604 Superior Road	Construct Partitions	\$90,000
34.	Geske Building & Supply Co.	507 West Thomas Avenue	Install Windows	\$8,600
35.	Babcock Construction	231 North Hill Street	Reside Dwelling & Garage	\$4,200
36.	True Value Home Center	1309 Cumberland Road	Dwelling	\$125,000

Edblom moved, Stores seconded, the approval of a transient merchants license for Walt Shrader DBA WVS Marketing at a fee of \$250.00. This license will expire on December 31, 2000. All voted in favor of the motion, except Boedigheimer who voted no.

## PUBLIC HEARINGS - 2000 TREE REMOVAL AND STUMP GRINDING PROGRAM:

This was the date and time set for a public hearing on the 2000 Tree Removal and Stump Grinding Program. There were no questions or concerns brought forth, therefore Doyle moved, Reynolds seconded, the public hearing be closed. All voted in favor of the motion.

Stores moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2287, SECOND SERIES and that the reading of the same be waived. Resolution Number 2287, Second Series is a resolution Adopting the Assessment for the 2000 Tree Removal and Stump Grinding Program. All voted in favor of the motion.



## REGULAR MEETING – NOVEMBER 6, 2000

### **AWARD OF BIDS - FOR DEMOLITION OF TAYLOR BUILDING CENTER.**

Bids were received, opened and read on November 1, 2000 for the demolition of the Taylor Building Center. Bids received, opened and read were from:

James Brey Construction  
Marshall, Minnesota  
\$28,000.00

D & G Excavating, Inc.  
Marshall, Minnesota  
\$16,900.00

Thompson Excavating  
Taunton, Minnesota  
\$25,975.00

Diamond 5 Construction, Inc.  
Hutchinson, Minnesota  
\$22,000.00

Boedigheimer questioned why the owner was allowed to remove part of the property. Per Brian Murphy, City Attorney, Mr. Barnett allowed some property to be sold back to the owner. Boedigheimer moved, Edblom seconded, the bid for the demolition of the Taylor Building Center be awarded to D & G Excavating, Inc., Marshall, Minnesota in the amount of \$16,900.00. All voted in favor of the motion.

### **ADOPTION OF ORDINANCE AMENDING SECTIONS OF THE CITY ZONING ORDINANCE REGULATING PLANNED UNIT DEVELOPMENT (PUD) AND ESTABLISHING A PLANNED UNIT DEVELOPMENT ZONING DISTRICT:**

Mike Johnson, City Administrator, reviewed with the council and others in attendance the proposed changes to the city zoning ordinance regulating planned unit development (PUD) and establishing a planned unit development zoning district. Doyle moved, Edblom seconded, the adoption of ORDINANCE NUMBER 443, SECOND SERIES and that the reading of the same be waived. Ordinance Number 443, Second Series is an ordinance Amending Sections of the City Zoning Ordinance Regulating Planned Unit Development (PUD) and Establishing a Planned Unit Development Zoning District. All voted in favor of the motion.

### **CONSIDER REVISIONS TO THE BY-LAWS FOR THE MARSHALL VOLUNTEER FIREFIGHTERS RELIEF ASSOCIATION:**

Mike Johnson, City Administrator, reviewed the revisions to the By-Laws for the Marshall Volunteer Firefighters Relief Association. He indicated that the revised by-laws reflect an increase in pension benefits from \$3,500.00 to \$3,600.00 per year of active service and an increase in the sickness or injury benefit from \$25.00 to \$50.00 per day. These revisions are effective January 1, 2001. Edblom moved, Stores seconded, the adoption of RESOLUTION NUMBER 2289, SECOND SERIES and that the reading of the same be waived. Resolution Number 2289, Second Series is a resolution Approving the By-Laws of the Marshall Volunteer Firefighters Relief Association. All voted in favor of the motion.

### **AUTHORIZATION TO TRANSFER FUNDS FROM FINANCE/CLERK DEPARTMENT BUDGET TO DATA PROCESSING BUDGET:**

Thomas Meulebroeck, Finance Director/City Clerk, reviewed with the council the request to transfer funds from the Finance/Clerk Department to the Data Processing Budget for the upgrading of the Finance Server to NT. Stores moved, Reynolds seconded, the approval of a transfer from Finance/Clerk personnel services, account number 101-40821-1101, to Data Processing account number 101-41641-5540 in the amount of \$17,500.00. All voted in favor of the motion.

REGULAR MEETING – NOVEMBER 6, 2000

Boedigheimer moved, Doyle seconded, the proper city personnel be authorized to execute an agreement with Computer Management Services, Inc., for the upgrading of the financial system to NT. All voted in favor of the motion.

**SPRINGSTED PUBLIC FINANCE ADVISORS - OVERVIEW OF WASTEWATER TREATMENT FACILITIES RATE STUDY FOR THE CITY OF MARSHALL; RESOLUTION RELATING TO THE ISSUANCE OF GENERAL OBLIGATION SEWER REVENUE BONDS, SERIES 2000A; RESOLUTION RELATING TO THE ISSUANCE OF GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2000B:**

Mike Johnson, City Administrator, reviewed with the council and others in attendance at the meeting the Wastewater Treatment Facilities Rate Study for the City of Marshall. Mr. Johnson indicated that this report has been reviewed by the Ways and Means Committee and is the basis for the proposed General Obligation Sewer Revenue Bonds. Stores moved, Doyle seconded, that the Wastewater Treatment Facilities Rate Study for the City of Marshall be accepted. All voted in favor of the motion.

Jerry Shannon of Springsteds was in attendance at the meeting to review the proposed funding for the Wastewater Treatment Facilities improvements and the public improvement construction projects that were undertaken this summer. Edblom moved, Stores seconded, the adoption of RESOLUTION NUMBER 2290, SECOND SERIES and that the reading of the same be waived. Resolution Number 2290, Second Series is a resolution Relating to the Issuance of General Obligation Sewer Revenue Bonds, Series 2000A in the amount of \$5,200,000. All voted in favor of the motion.

Edblom moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2291, SECOND SERIES and that the reading of the same be waived. Resolution Number 2291, Second Series is a resolution Relating to the Issuance of General Obligation Improvement Bonds, Series 2000B in the amount of \$1,570,200. All voted in favor of the motion.

**AMENDMENT TO SERVICES AGREEMENT WITH MINNESOTA MUNICIPAL UTILITIES ASSOCIATION FOR CITY SAFETY PROGRAM:**

Stores moved, Reynolds seconded, the proper city personnel be authorized to enter into an Amendment to the Services Agreement with Minnesota Municipal Utilities Association for the City Safety Program. This agreement provides for the City Safety's Program for the year 2001 at a fee of \$14,588.06. The General Fund, Wastewater Fund and the Liquor Fund provide funding for this program. All voted in favor of the motion.

**CONSIDER CHANGE ORDER NO. G-2 FOR APPARATUS STORAGE/MAINTENANCE FACILITY FOR M.E.R.I.T. CENTER:**

Doyle moved, Reynolds seconded, the approval of Change Order No. G-2 for the apparatus storage/maintenance facility for the M.E.R.I.T. Center. This change order is designed to revise the finish of the interior steel to galvanized, in lieu of painted for increase in the contract in the amount of \$1,194.33 and to add additional work required to correct poor soil conditions the contract would be increased in the amount of \$7,148.68. All voted in favor of the motion.

REGULAR MEETING – NOVEMBER 6, 2000

**VACATION OF UTILITY EASEMENT IN EATROS PLACE ADDITION - INTRODUCTION OF ORDINANCE AND CALL FOR PUBLIC HEARING:**

Reynolds moved, Stores seconded, the introduction of an ordinance Vacating a Portion of a Utility Easement in the City of Marshall. This ordinance provides for the vacating of the northerly 2 feet of the existing 10-foot utility easement in Lot 5, Block 5, Eatros Place Addition, 627 West Southview Drive. All voted in favor of the motion.

**RESOLUTION AMENDING RESOLUTION NO. 2108, SECOND SERIES, APPROVING THE FINAL PLAT OF O.K. FIRST ADDITION:**

Edblom moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2292, SECOND SERIES and that the reading of the same be waived. Resolution Number 2292, Second Series is a resolution Amending Resolution No. 2108, Second Series, Approving the Final Plat of O.K. First Addition. This resolution provides for the correction of the legal description on the final plat. All voted in favor of the motion.

**MINNESOTA YOUTH INTERVENTION PROGRAM GRANT APPLICATION FOR CONTINUATION OF THE COMMUNITY PLUS PROGRAM:**

Reynolds moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2293, SECOND SERIES and that the reading of the same be waived. Resolution Number 2293, Second Series is a resolution of Sponsorship for a Youth Intervention Program. This resolution provides for the City of Marshall to apply for a Grant in the amount of \$20,000 for the Lyon County Community Plus Program. All voted in favor of the motion.

**AUTHORIZATION TO EXECUTE THE NECESSARY DOCUMENTS WITH WELLS FARGO BANK MINNESOTA, N.A. AS IT RELATES TO COLLATERAL AND DESIGNATING THEM AS A DEPOSITORY:**

Thomas M. Meulebroeck, Finance Director/City Clerk, reviewed with the city council the documents with Wells Fargo Bank Minnesota, N.A. as they relate to collateral and designating them as a depository. This authorization is due to the merger of Norwest Bank Southwest into Wells Fargo Bank Minnesota. Doyle moved, Reynolds seconded, the proper city personnel be authorized to execute the necessary documents with Wells Fargo Bank Minnesota, N.A. as they relate to the collateral and designating them as a depository. All voted in favor of the motion.

**AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE PICK UP OF GARBAGE AND TRASH FOR VARIOUS CITY LOCATIONS:**

Reynolds moved, Stores seconded, the proper city personnel be authorized to advertise for bids for the pick up of garbage and trash for various City locations. Mr. Murphy, City Attorney, requested that the contract be revised to include: "All items removed by the contractor shall be disposed of in the Lyon County Landfill and in accordance with the Lyon County solid waste plan and Lyon County ordinances." All voted in favor of the motion.

**CONSIDER INSURANCE RENEWAL RATES FOR JANUARY 1, 2001 - HEALTH INSURANCE; LIFE INSURANCE; LTD INSURANCE:**

Stores moved, Reynolds seconded, the approval of the health insurance rates with Blue Cross/Blue Shield of Minnesota for the period January 1, 2001 through December 31, 2001. The new monthly rates for the health insurance are for Single coverage \$234.33; and for Family coverage \$626.20. The employee will pay \$80.87 per month for the family coverage. These rates reflect a 17% increase. All voted in favor of the motion.

## REGULAR MEETING – NOVEMBER 6, 2000

Doyle moved, Reynolds seconded, the approval of the life insurance rates with Madison National Life for the period January 1, 2001 through December 31, 2001. The new rates for the life insurance at \$.28 basic per thousand, \$.035 AD & D per thousand, and \$1.65 dependent per family amount. The increase in the basic coverage increases the single premium by 7.69% and the family premium by 4.35%. All voted in favor of the motion.

Edblom moved, Stores seconded, the approval of the long-term disability insurance with Madison National Life at a rate of .425% of covered wages. This rate reflects a 9% increase. All voted in favor of the motion.

Mayor Byrnes took this opportunity to thank Thomas Meulebroeck and his staff for all of their hard work on the upcoming election.

A 5-minute recess was called at this time.

### **CONSIDER REQUEST OF LYON COUNTY, MINNESOTA FOR A VARIANCE ADJUSTMENT PERMIT FOR CORY VANDEVERE AND CONSIDER REQUEST OF LYON COUNTY, MINNESOTA FOR A PRELIMINARY PLAT TO SUBDIVIDE AGRICULTURAL LAND AND FOR A CONDITIONAL USE PERMIT TO PLACE TWO FEET OF FILL MATERIAL IN THE FLOODPLAIN.**

The City of Marshall has received a notice from Lyon County in regard to a Variance Adjustment Permit for Cory VanDeVere and a proposed Preliminary Plat to subdivide agricultural land and a Conditional Use Permit to place two feet of fill material in the floodplain by Mike Schmitt. City Administrator Mike Johnson indicated that the city staff has no comments in regard to the first request. Mr. Johnson indicated that the city staff has concerns in regard to the drainage on the backside of the levy in regard to the second request and they are also concerned with this area being plated on a lot-by-lot basis. Edblom moved, Stores seconded, that the proper city personnel notify Lyon County of their concerns. All voted in favor of the motion.

### **RECOMMENDATION TO SET INTERVIEWS FOR DIRECTOR OF PUBLIC WORKS/CITY ENGINEER:**

Per the recommendation of Michael Johnson, City Administrator, Doyle moved, Reynolds seconded, that one applicant be interviewed for the position of Director of Public Works/City Engineer. All voted in favor of the motion.

### **CONSIDER APPOINTMENTS TO THE HUMAN RIGHTS COMMISSION AND TRANSIT AD HOC COMMITTEE:**

Reynolds moved, Doyle seconded, that Dixie Enersen and Mohamoud Mohamed be appointed to the Human Rights Commission for terms to expire on May 31, 2003 and that Cindy Polfliet be appointed to the Transit Ad Hoc Committee. All voted in favor of the motion.

### **COUNCILMEMBER COMMISSION/BOARD LIAISON REPORTS:**

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

Byrnes            No report.

Stores            Design Review Committee met and are working with the applicants they have received.

REGULAR MEETING – NOVEMBER 6, 2000

- Edblom      Cable Commission will meet next week; Planning Commission meets this week; Personnel Committee has met a couple of times; County/City Land Use Study is making progress.
- Boedigheimer      Airport Commission meets on Monday; Senior Citizen Center Commission, Lyon County Enterprise Development, Jt. LEC, Public Improvement/Transportation Committee have not met.
- Doyle      Housing Commission, Human Rights Commission, Convention & Visitors Bureau have not met.
- Reynolds      Hospital Board meets on November 20, 2000.

**COUNCILMEMBER INDIVIDUAL ITEMS:**

Other items of concern brought forth by the Councilmembers included: the Charter Commission member's terms have all expired. Mayor Byrnes asked that each current member and each member after the election to bring one name and the mayor will appoint one council member for a total of 13 members.

**REVIEW OF PENDING AGENDA ITEMS:**

There was one change to the pending agenda items which was the date for the Taylor Condemnation Hearing. This hearing will be held on November 21, 2000 not November 20, 2000.

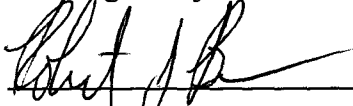
**DETERMINATION BY CITY COUNCIL TO GO INTO CLOSED SESSION PURSUANT TO THE ATTORNEY-CLIENT PRIVILEGE AT THE REQUEST OF THE CITY ATTORNEY IN REGARDS TO PENDING LITIGATION (MN STATUTES 471.705 SUBD. 1D.E.) CONCERNING BULTINCK AND TAYLOR CONDEMNATION ACTIONS:**

Edblom moved, Stores seconded, that the City Council go into closed session at 9:37 P.M. per MN Statutes 471.705 Subd 1d.e. to consider pending litigation as it relates to the Bultinck and Taylor Condemnation actions. All voted in favor of the motion.


The closed session was adjourned at 10:03 P.M.

City Attorney Brian Murphy gave a brief update of the status of the Bultinck and Taylor condemnation actions.

Reynolds moved, Doyle seconded, the meeting be adjourned. All voted in favor of the motion.

  
\_\_\_\_\_  
Mayor of the City of Marshall

ATTEST:

  
\_\_\_\_\_  
Financial Director/City Clerk

## SPECIAL MEETING – NOVEMBER 13, 2000

A special meeting of the Common Council of the City of Marshall was held on November 13, 2000 in the Cottonwood Room of the Marshall Municipal Building. The meeting was called to order by Mayor Byrnes at 7:10 P.M. In addition to Byrnes the following members were in attendance at the meeting: Rowe, Stores, Boedigheimer and Reynolds. Others in attendance included Mike Johnson, Rob Yant, Dan Sarff, Bob VanMoer, Gary Schmidt and Harry Weilage.

Reynolds moved, Boedigheimer seconded, that Robert Byrnes be duly re-elected as Mayor; that David E. Sturrock be declared duly elected as Councilperson for Ward 1; John Doyle be declared duly re-elected at councilperson for Ward II; and that Daniel Stores be declared duly elected as councilperson for Ward III. All positions were elected to four-year terms to expire on December 1, 2004. All voted in favor of the motion.

Be it noted the arrival of Councilperson Edblom at 7:17 P.M.; Councilperson Doyle at 7:35 P.M.; City Attorney Murphy at 7:45 P.M.; and City Assessor Barnett at 7:48 P.M.

Dan Sarff, Interim City Engineer, presented and reviewed the Municipal State Aid budget. Mr. Sarff reviewed the 5-year Municipal State Aid Street Plan. The city is eligible for approximately \$400,000 per year. The City currently has an allotment balance of \$1,400,000. There was a consensus to do the recommended projects for 2001.

Mike Johnson and Gary Schmidt gave a presentation on the improvements at the Marshall Municipal Airport. The City Council was updated on information from the Airport Commission. Most of the conversation centered on the arrival building and funding options as well as the moving of the hangars.

Reporters Rae Kruger and Greg Schultz arrived at the meeting.

Paula VanOverbeke, Lyon County Auditor/Treasurer was in attendance at the meeting to canvas the City ballots. City Council members took their oaths. Paula gave an overview of the election. In Ward 1, Don Edblom received 716 votes and David E. Sturrock received 960 votes. There were twelve write-ins and 727 new registered voters in the ward. In Ward 2, John Doyle received 1,799 votes. There were 23 write ins and 405 new registered voters in the ward. There was a change in the summary of votes for Ward 2 from 2051 to 2049. In Ward 3, Robert Lexvold received 368 votes and Daniel Stores received 1115. There were 11 write ins and 385 new registered votes. There was a change in the actual count for Ward III from 1685 to 1684.

The election results for Mayor were:

Ward 1, Robert Byrnes	1607 votes	39 write ins
Ward 2, Robert Byrnes	1860 votes	28 write ins
Ward 3, Robert Byrnes	1496 votes	20 write ins

There were numerous write-ins for individuals for Mayor and Councilperson positions. This information was given to the Mayor. No one received more than 3 votes.

Bob VanMoer, Superintendent Wastewater Treatment Facility, addressed the report from Springsteds, Inc., on the appropriate rate structure for the Wastewater Treatment Facility. He reported on the Wastewater Treatment Plant operations and the two pending legal actions (EPA and Minnesota Pollution Control). A discussion was held on the Wastewater Treatment Facility fund balance reserve and the appropriate reserves for the Wastewater Treatment Facility.

SPECIAL MEETING – NOVEMBER 13, 2000

Stores moved, Edblom seconded, to go into closed session to discuss condemnation action on the Taylor property at 8:47 p.m. All voted in favor of the motion.

Those in attendance during closed session were Bob Byrnes, Maureen Stores, Don Edblom, Ted Rowe, Mike Reynolds, John Doyle and Mike Boedigheimer, Mike Johnson, Rob Yant, Brian Murphy, Harry Weilage and Cal Barnett.


Murphy gave a presentation on the condemnation of the Taylor property and a tape of the meeting was recorded by Johnson. Byrnes declared the closed session over at 9:09 p.m. The City Council returned to regular business.

The City Council meeting returned to regular session at 9:12 p.m. Rob Yant gave a presentation on the Public Safety budget. The main discussion centered on staffing and replacing part time staff with two full time positions. A mutual aid contract is being discussed with SSU. A discussion centered on the grant positions with the CSO/school liaison officer and gang strike force. The two new officers would be for patrol. The siren proposed for the area near MCP was cut from the 2001 budget requests.

Johnson made recommendations to the budget consisting on reductions in personnel cost of \$120,000; operating and maintenance of \$32,622; capital expenditures of \$260,600; insurance transfer of \$39,100 and in revenues of \$80,000. An additional revenue of \$100,000 was proposed. There was a conversation on the revenue from the hospital for the \$25,000 in lieu of taxes, increasing the wastewater enterprise contribution from \$70,000 to a more appropriate figure, keeping the outside agencies request that the same percentages that the city's general services are required to stay at and request the \$50,000 from North Memorial for the ambulance operations.

Byrnes suggested that the "429" Public Improvement Revolving Account be considered for the Southwest Recreational Amenities Grant for \$50,000 and to continue to looking at options for airport funding. The direction by the City Council was a consensus to add back the 2 additional police officers, support the additional staff for the assessor's office for project management and asked City Administrator Johnson to look into the additional revenues sources.

Meeting adjourned 10:15 p.m.

  
Mayor of the City of Marshall

ATTEST:

  
Community Services Director

## REGULAR MEETING – NOVEMBER 20, 2000

The regular meeting of the Common Council of the City of Marshall was held on November 20, 2000 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; Dale Howe, Building Official; and Thomas M. Meulebroeck, Finance Director/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 as presented.

### APPROVAL OF THE MINUTES:

Rowe moved, Stores seconded, that the minutes of the regular meeting held on November 6, 2000 be approved as filed with each member and that the reading of the same be waived; and that the minutes of the special meeting held on November 13, 2000 be approved as corrected to change the reference of Donald Sturrock to David E. Sturrock and that the reading of the same be waived. All voted in favor of the motion.

### APPROVAL OF CONSENT AGENDA: TRANSIENT MERCHANT LICENSE APPLICATIONS FOR PCA NATIONAL/AMERICAN STUDIOS (WAL-MART PHOTOGRAPHY) AND THE PACESETTER CORP; APPLICATION FOR A SUNDAY ON-SALE LIQUOR LICENSE FOR PAPPY'S; APPLICATION FOR OFF-SALE BEER LICENSE AND TOBACCO LICENSE FOR HYVEE GAS; BILLS/PROJECT PAYMENTS; BUILDING PERMITS:

Edblom moved, Reynolds seconded, that the following consent agenda items be approved:

1. A Sunday On-Sale Liquor license for Pappy's at 1407 East College Drive be approved for the year 2000 at a fee of \$200.
2. That the following bills and project payments be authorized for payment:  
ACCOUNTS PAYABLE, Voucher No. 26126 through 26354.

All voted in favor of the motion.

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

Applicant	Location Address	Description of Work	Valuation
1. Layne & Deborah Turner	125 "E" Street	Deck	\$1,200
2. Sussner Construction, Inc.	1604 Superior Road	Office Footings & Foundation	\$71,900
3. Sussner Construction, Inc.	115 West College Drive	Interior Remodeling / Conference Room	\$20,000
4. Thomas Werner	1110 West Main Street	Move-In Office Building	\$28,500



# REGULAR MEETING – NOVEMBER 20, 2000

5.	Justin Dibble	129 "E" Street	Reroof Dwelling and Install Overhang	\$2,100
6.	Slagel Construction	719 Marguerite Avenue	Roof and Exterior Remodel	\$25,000
7.	Geske Building & Supply Co.	306 Rainbow Drive	Reside Dwelling & Install Door	\$10,000
8.	Gleeson Constructors, Inc.	1604 Superior Road	Interior Remodel	\$1,300,000
9.	Darren & Tanya Cain	1231 Patricia Court	Finish Basement	\$4,000
10.	Albert Eggermont, Jr.	302 West College Drive	Interior Remodel	\$1,500

Rowe moved, Reynolds seconded, that a transient merchants license for PCA National/American Studios for a photography business at Wal-Mart and a transient merchants license for Pacesetter Corporation for home improvement contacts be approved. These licenses are for the year 2001 and the fee is \$250.00. All voted in favor of the motion, except Boedigheimer who voted no.

Boedigheimer moved, Rowe seconded, the approval of an off-sale non-intoxicating beer license at a fee of \$75.00 and a tobacco license at a fee of \$60.00 for the year 2000 for Hy-Vee Gas at 904 East Main Street. All voted in favor of the motion.

## **PUBLIC HEARINGS: VACATION OF UTILITY EASEMENT IN EATROS PLACE ADDITION:**

This was the date and time set for a public hearing to consider the vacating of a utility easement on Lot 2, Block 5, Eatros Place Addition at 627 West Southview Drive. Mike Johnson, City Administrator, addressed the requested vacation and did indicate that all know utility companies have been notified of the possible vacation and no objects or negative comments have been received. The only existing utility located within the 10 foot easement are the underground electric, cable TV and telephone lines that service the property owner in question. None of these are located within the 2 feet area being considered for vacation. There were no questions or concerns brought forth at the public hearing, therefore Reynolds moved, Stores seconded, that the public hearing be closed. All voted in favor of the motion.

Stores moved, Reynolds seconded, the adoption of ORDINANCE NUMBER 444, SECOND SERIES, and that the reading of the same be waived. Ordinance Number 444, Second Series is an ordinance vacating a portion of the utility easement in the City of Marshall. This ordinance provides for the vacating of the utility easement on the northerly 2 feet of the existing 10-foot utility easement as shown on the southerly line of Lot 2, Block 5, Eatros Place Addition in the City of Marshall at 627 West Southview Drive. All voted in favor of the motion.

## **CONSIDER REQUEST OF DEAN COUDRON FOR A VARIANCE ADJUSTMENT PERMIT TO CONSTRUCT A GARAGE ADDITION WITH A FRONT YARD AND A REAR YARD OF LESS THAN REQUIRED BY ORDINANCE IN AN R-1 ONE FAMILY RESIDENCE DISTRICT AT 627 WEST SOUTHVIEW DRIVE:**

Upon the recommendation of the Planning Commission, Stores moved, Boedigheimer seconded, that a variance adjustment permit to construct a garage addition

with front yard of 23' in lieu of 25' and a rear yard of 8' in lieu of 15' as required by ordinance in an R-1, One Family Residence District, be approved for Dean Coudron at 627 West Southview Drive. All voted in favor of the motion, except Rowe who voted no.

**CONSIDER REQUEST OF THE CITY OF MARSHALL TO AMEND THE 1996 COMPREHENSIVE PLAN BY CHANGING THE LAND USE OF LOTS 1-4, BLOCK 1, TECHNOLOGY PARK ADDITION FROM SINGLE FAMILY RESIDENTIAL LAND USE TO INDUSTRIAL USE:**

Upon the recommendation of the Planning Commission, Stores moved, Edblom seconded, that the 1996 Comprehensive Plan be amended to change the land use of Lots 1-4, Block 1, Technology Park Addition from Single Family Residential Land Use to Industrial Use. All voted in favor of the motion.

**CONSIDER REQUEST OF THE CITY OF MARSHALL TO REZONE THE TECHNOLOGY PARK ADDITION OF THE CITY OF MARSHALL FROM AN I-1 (LIMITED INDUSTRIAL DISTRICT) TO A PUD (PLANNED UNIT DEVELOPMENT DISTRICT):**

Edblom moved, Reynolds seconded, the introduction of an Ordinance to rezone the Technology Park Addition of the City of Marshall from an I-1, Limited Industrial District, to a PUD, Planned Unit Development District and that a public hearing be held on December 4, 2000 at 7:30 P.M. to consider the adoption of this ordinance. All voted in favor of the motion.

**VACATION OF UTILITY EASEMENT IN INDUSTRIAL PARK 1:**

Rowe moved, Stores seconded, the introduction of an ordinance to vacate a utility easements in Lots 6, 7 & 8, Block 6; and Lots 1 – 6, Block 8 of Industrial Park No. 1. Schwan's Sales Enterprise, Inc., is planning a cold storage freezer addition to their existing warehouse facility on Block 2 of the Marshall Industrial Park Plat. A public hearing was scheduled for December 4, 2000 at 7:30 P.M. to consider the vacating of this utility easement. All voted in favor of the motion.

**SCHOOL BOND PRESENTATION BY "TOGETHER WE CAN" – GREG FLACK:**

Greg Flack a representative of the Together We Can Committee for the Marshall Public School bond levy was in attendance at the meeting to discuss the propose bond. Mr. Flack indicated that by the passage of this levy the community will benefit by; the improving the quality of education, creating safer learning environment for all, building a stronger business climate, improving home values, making Marshall more attractive for new families and retaining existing ones, expanding the city capacity to compete for a new workforce, successfully providing education with 21<sup>st</sup> century technology, and will be graduating students highly skilled in technology into today's workplace. The passage of this levy will cost the community by increasing property tax rates to a level similar to those of 1996. In response to a question was asked if the state would be participating in contributing the construction of this facility, Mr. Flack indicated that the state assistance is estimated to be between 6 and 7 percent, which has been included in the computations that have been provided for the construction of this facility. Mr. Flack also indicted that if any of the current facilities are sold that the proceeds from the sale of these properties could be applied toward the reinvestment of the new facility or pay down debt on the proposed facility. Mr. Ron Halgerson reviewed the plans for the addition to the Marshall Senior High School, which would accommodate junior classes consisting of the 5<sup>th</sup> through the 8<sup>th</sup> grade and also the addition to the Parkside School where the Parkside School would then accommodate pre-school through grade 4. The Together We Can

REGULAR MEETING – NOVEMBER 20, 2000

Committee was looking for a commitment of support from the City Council for the proposed school bond issue. The proposed bonds have a 20 year maturity. It was the consensus of the City Council to delay any formal action on a commitment until the December 4, 2000 city council meeting to allow the city council personnel time to review the information that was presented to them.

**CONSIDER HCPD SUPPLEMENTAL ELECTRIC POWER SALES AGREEMENT BETWEEN MARSHALL MUNICIPAL UTILITIES AND HEARTLAND CONSUMERS POWER DISTRICT:**

Per the request of the Marshall Municipal Utilities, Boedigheimer moved, Stores seconded, that the proper city personnel be authorized to execute the Heartland Consumer Power District Supplemental Electric Power Sales Agreement between the Marshall Municipal Utilities and Heartland Consumer Power District. All voted in favor of the motion.

**REQUEST OF RITTER'S SANITARY SERVICE, INC. CONCERNING CURBSIDE RECYCLING:**

Steve Larson, General Manager Ritter's Sanitary Service, was in attendance at the meeting to discuss with the City Council the possibility of Ritter's Sanitary Service continuing to provide curbside recycling in the City of Marshall. The council was made aware that the Lyon County Board of Commissioners has entered into a contract with Curry Sanitation for the curbside recycling program, therefore Boedigheimer moved, Rowe seconded, that the City of Marshall comply with the contract arrangements between Lyon County and Curry Sanitation for the pickup of recycling in the City of Marshall and that the County Environmental Office be encouraged to make the community aware of the change in curbside recycling and that efforts be made coordinate the recycling and garbage hauling to be done on the same day. All voted in favor of the motion.

**REQUEST OF LYON COUNTY HISTORICAL SOCIETY TO CHANGE HOURS FOR THE CHRISTMAS TREE WALK:**

Ellayne Conyers was in attendance at the meeting to discuss with the council a request from the Lyon County Historical Society to change the hours for the street closing of Third Street for the Christmas Tree Project. Ms. Conyers indicated that 70 trees have been reserved for businesses and organizations from throughout Marshall and one from Cottonwood. The trees are 6 to 8 feet high with a base of 6 feet. Schwan's Sales Enterprises is working with the Marshall Municipal Utilities on the electrical supply for the trees. Ms. Conyers was requesting additional space on Third Street to set the trees up and that Third Street also be closed on Saturday afternoon, December 16<sup>th</sup> from 1:00 P.M. to 5:00 P.M. Reynolds moved, Boedigheimer seconded, that Ms. Conyers work with the appropriate city personnel to designate appropriate space on Third Street for the placement of Christmas Trees and that permission be granted to close Third Street on Saturday, December 16<sup>th</sup> from 1:00 P.M. to 5:00 P.M., in addition to the street being closed from 6:30 P.M. to 8:00 P.M. on December 11, 12, 13, 14, and 15, 2000. All voted in favor of the motion.

**CONSIDER CHANGE ORDER NO. 3 FOR FIRE TRAINING TOWER FOR M.E.R.I.T. CENTER:**

Rowe moved, Reynolds seconded, the approval of change order no. 3 for the contract with KHC Construction Inc., for the M.E.R.I.T. Fire Training Tower. This change order is for an additional amount of \$1,341.02 for additional site work that is needed to address the poor underground soil conditions for the Fire Training Tower. All voted in favor of the motion.

Mayor Byrnes called for a 5-minute recess.

**PERSONNEL COMMITTEE REPORT - APPROVAL OF NON-UNION  
EMPLOYEE WAGE SCHEDULE/BENEFITS FOR 2001-2002; CHANGE IN  
CLASSIFICATION/WAGE FOR DIVISION HEADS:**

Upon the recommendation of the City Council Personnel Committee, Edblom moved, Boedigheimer seconded, and it was unanimously approved to accept the City's Non-Union personnel wage schedule/benefit package for the next 2 calendar years as follows:

1. Term of Proposal – January 1, 2001 to December 31, 2002 (2 years).
2. Wage Schedule – The City of Marshall Wage Schedule shall be adjusted at Step 5 by 3.5% on January 1, 2001 and by 3.5% on January 1, 2002.
3. Health Insurance – Continuation of the same single and family health insurance deductibles and premium cost sharing arrangements that were effective January 1, 2000 for 2001 and 2002.
4. Dental Insurance – Employees electing to participate in the family dental insurance program shall contribute \$5.00/month for family dental insurance premiums beginning January 2, 2001 and \$10.00/month beginning January 1, 2002.
5. Call Back Time – the City agrees to add a new section to the Personnel Policy entitled "Section 8.(11.) Call Back Time.

The language in this new section would read as follows:

Call Back Time – An employee who is called back to duty during the employee's scheduled off-duty time shall receive a minimum of two (2) hours pay at one and one-half (1½) times the employee's base pay rate. An extension or early report to a regularly scheduled shift is not a call back.

6. Other Benefits – All other benefits would remain the same for 2001-2002.

Be it noted the arrival of Councilperson Doyle.

Mike Johnson, City Administrator, reviewed with the City Council the recommended changes in classification and wage for the Director of Community Services and Director of General Services. In late 1996 or early 1997 the city reorganized its internal operations and went from a Department Head system to a Division Head system. Under the reorganization, four (4) key Division Head positions were developed to cover the operations of Public Works, Public Safety, Community Services and General Services. Mr. Johnson indicated that with the reorganization that it has paid tremendous dividends to the City including the ability of the City to incur significant monetary grant success, the development of positive cooperative relationships among the city, county, school, university and other public/private entities, the advancement and leadership in addressing community issues associated with technology, housing, downtown redevelopment, economic development, cultural diversity, and in the successful leadership of the departments. Mr. Johnson reviewed the success included under the

## REGULAR MEETING – NOVEMBER 20, 2000

Director of Community Services which included: Leadership on Family/Collaborative Project, PrairieNet Consortium, Private/Public Collaborative Relationship, Cultural Leadership, Liaison with Legislative/State Agencies, and Community Development. The success addressed for the Director of General Services included: Downtown Redevelopment; Housing Development, Economic/Community Development, and Major Project Assistance. Mr. Johnson was recommending that the Director of Community Services and Director of General Services wage be increased from \$27.08/hour to \$33.17/hour retroactive to January 1, 2000 and that these positions be considered contract employees and that an agreement be entered into for three years for the year 2000 to 2002 for these two positions. A concern was expressed in regard to these two positions being recommended a 22 ½% increase retroactive to January 1, 2000 and that comparative positions were considered from the metro area rather than the out state area. Edblom moved, Reynolds seconded, that the Director of Community Services Harry Weilage, and the Director of General Services Calvin Barnett, be granted an increase in wage from \$27.08/hour to \$33.17/hour effective January 1, 2000 and that these employees be classified as contract employees. All voted in favor of the motion, except Boedigheimer and Rowe who voted no.

### **RESOLUTION REALLOCATING BUDGET AMOUNTS FOR FISCAL YEAR ENDED DECEMBER 31, 2000:**

Boedigheimer moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2294, SECOND SERIES and that the reading of the same be waived. Resolution Number 2294, Second Series is a resolution Reallocating Budget Amounts for Fiscal Year Ended December 31, 2000 as recommended by the Finance Director/City Clerk Thomas M. Meulebroeck. All voted in favor of the motion.

### **IDENTIFICATION OF INDIVIDUALS TO SERVE ON CHARTER COMMISSION:**

At the regular City Council meeting held on November 6, 2000 Mayor Byrnes requested the members of the City Council to identify individuals within the City of Marshall that would be willing to serve on the City's Charter Commission. The names that were brought forth at this time included: Larry Henle, Ann Berglund, Bill Kramer, Gary Becker, John Feda, Marc Christianson, and Duane Aden.

### **USEPA APPEAL OF ADMINISTRATIVE LAW JUDGE DETERMINATION:**

Mike Johnson updated the City Council on the USEPA appeal of Administration Law determination. Mr. Johnson did indicate to the City Council that on November 1, 2000 the USEPA Region 5 chose to appeal the judge's decision on this matter. This judgment provides for a penalty to the City of Marshall in the amount of \$6,000.

### **COUNCILMEMBER COMMISSION/BOARD LIAISON REPORTS:**

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

Byrnes	No report.
Stores	No committee reports but she did indicate that the Downtown Design Review Committee would be meeting on November 22, 2000.
Edblom	<u>Utilities Commission</u> will be meeting on November 21, 2000; <u>Planning Commission</u> will be meeting the following week.

REGULAR MEETING – NOVEMBER 20, 2000

Boedigheimer Lyon County Enterprise Development will be having a meeting on November 21, 2000.

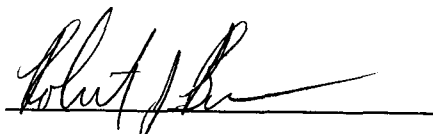
Doyle No report.

Rowe Library Board does have two new members from the County and the City Council will need to appoint 2 new members in December.

Reynolds Hospital Board a tentative joint meeting has been scheduled for January 29, 2001 and they would like to consider an at large non-voting member on the Hospital Board who may be from outside the Marshall area.

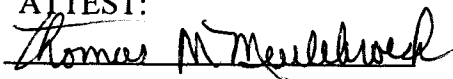
Other items of concern brought forth by the Mayor and Councilmembers included: recognition to Paula Curry, Jody Gladis and Jim Marshall for their presentation on drugs; comments were provided on the tour that was taken of community centers in the metro area; Councilperson Stores and Edblom expressed their pleasure and thanked the City for the opportunity to serve as councilmembers. It was indicated that the Legislative and Ordinance committee has addressed the City's requirements as it relates to the transient merchants license and who this license applies to and it was indicated that Mr. Johnson has presented a letter to the University advising them that they are subject to the City of Marshall's Ordinance as it relates to transient merchants license. Mayor Byrnes requested that consideration be made at the next City Council meeting to determine the City Council's President Pro-Tem to act in the absence of the Mayor. Mr. Johnson indicated that the potential candidate that they had for the City Engineer position has declined and now the city is in the position of reassessing the duties of this position and re-evaluating the compensation package. Mr. Johnson did also indicate that the City of Marshall recently incurred a mal-function with one of the Wastewater Lift Stations.

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



Mayor of the City of Marshall

ATTEST:



Financial Director/City Clerk

## SPECIAL MEETING – NOVEMBER 27, 2000

A special meeting of the Common Council of the City of Marshall was held on November 27, 2000 in the Cottonwood Room of the Marshall Municipal Building. The meeting was called to order at 7:02 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Rowe, Doyle, Edblom, Reynolds, Boedigheimer and Stores. Staff present included: Michael Johnson, City Administrator; Harry Weilage, Director of Community Services; Rob Yant, Director of Public Safety; and Thomas M. Meulebroeck, Finance Director/City Clerk. Others in attendance at the meeting included Council elect David E. Sturrock; Mark Jorgensen, County Administrator; and Steve O'Connor, Marshall Public Schools Director of Instruction.

Mayor Byrnes presented plaques to Councilperson Maureen Stores and Don Edblom for their many years of service and contribution to the City of Marshall in serving as councilmembers for the City.

The purpose of this special meeting was to consider the review draft of the 2001 budget and to receive the report from Steve O'Connor on the Technology Overview.

Steven O'Connor was in attendance at the meeting to review with the City Council and others in attendance at the meeting the Connected Community Project. The government participants in this project include the Marshall Public Schools, the City of Marshall and Lyon County. The vision of this project is that the Marshall Public Schools would provide Microsoft and Cisco Internet working implementation services and support for the City of Marshall. Initially implemented as separate systems the vision combines the project into one coordinated solution or "Connected Community". The design goals of this project are the reduction of Information Technology service expenses; to enable simple and effective management of applications across the enterprise; standardization on one Network Operating System and hardware platform – limiting variations of hardware and software enable a smoother integration of a "Connected Community"; and it would provide a means of redundant systems. Mr. O'Connor reviewed the Physical and Virtual Map of County, City, and School District Technology Connectivity. Mr. O'Connor also reviewed the projected expenses to the City of Marshall for their involvement in this project.

Mike Johnson, City Administrator, updated the City Council on the proposed 2001 General Fund Budget with the changes that have been made since the November 13, 2000 special city council meeting. The current expenditures exceed revenues by \$124,173. This deficit does not include the potential increase in the amounts requested from the various agencies. If the amounts requested from the various agencies were included in the budget the deficit would be increased by \$6,247. Mr. Johnson indicated that the current budget has \$60,000 included in the Mayor and Council Contingency for proposed technology changes. The primary areas that were discussed as potential changes in the budget included the amount that was allocated for technology; the contribution to Fire Relief Association Pension Fund; and the amounts that have been requested and budgeted for the agencies including the Humane Society of Lyon County, Lyon County Historical Society, Marshall Area Fine Arts Council, and Western Community Action Buddies Program.

Following a discussion on these various areas Edblom moved, Stores seconded, that the amount included in the Mayor and Council Contingency for technology be reduced from \$60,000 to \$40,000; that an additional \$3,000 be incorporated in the Mayor and Council Contingency for the various agencies; that the \$10,400 budgeted for the Marshall Volunteer Fire Relief Association be deleted; and

SPECIAL MEETING – NOVEMBER 27, 2000


that the personnel section of the budget be changed to include a 3 ½% increase for the employees effective January 1, 2001; and that the difference whereby the expenditures exceed the revenues would be taken from the general fund reserve and that this information be presented to the Truth and Taxation meeting to be held on December 4, 2000 at 6:00 P.M. All voted in favor of the motion.

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



Mayor of the City of Marshall

ATTEST:



Financial Director/City Clerk



## TRUTH AND TAXATION PUBLIC HEARING – DECEMBER 4, 2000

The Truth and Taxation Public Hearing was held on Monday, December 4, 2000 in the Council Chambers of the Marshall Municipal Building. The meeting was called to order at 6:00 o'clock P.M. by Mayor Byrnes. In addition by Byrnes the following councilmembers were in attendance at the meeting: Rowe, Doyle, Sturrock, Reynolds, Boedigheimer and Stores. Absent: none. Staff in attendance at the meeting were: Michael Johnson, City Administrator; Bob VanMoer, Superintendent Wastewater Treatment Facility, and Thomas M. Meulebroeck, Finance Director/City Clerk; and Teri McCausland, Cable Coordinator. There were also 31 representatives from the Marshall Volunteer Fire Department in attendance at the meeting along with two representatives from the press.

Thomas M. Meulebroeck, Finance Director/City Clerk, administered the Oath of Office to re-elected Mayor Robert Byrnes and re-elected councilmember John Doyle and two newly elected councilmembers David E. Sturrock and Daniel Stores.

The purpose of this Truth and Taxation Public Hearing was to hear any comments from the city council and from the general public in regard to the proposed budget and tax levy payable in the year 2001. 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 18, 2000 meeting. Mike Johnson commended various city staff for their work in preparing the budget and materials for this Truth and Taxation Hearing. Mike addressed the following 2000 Accomplishments:

- Completed property acquisitions and Phase II construction of U.S. Army Corps of Engineers Flood Control Project
- Developed preliminary concept plans and report on proposed family Community Center Project
- Completed construction project on 57-acre Technology Park
- Initiated construction of M.E.R.I.T. Center Apparatus Storage/Maintenance Building and Fire Tower Projects
- Obtained \$1,400,000 DTED grant and developed design guidelines for Downtown Redevelopment Project
- Obtained \$100,000 funding from Department of Public Safety for Gang Strike Task Force Program
- Received \$169,000 in grants from Minnesota Amateur Sports Commission for soccer and hockey projects (joint City/School/County/University projects)
- Completed financing analysis on Wastewater Fund and awarded construction contract for storage tanks/effluent filters project
- EDA initiated development and construction of Parkway Housing Addition to address affordable housing shortage
- Successful economic development efforts leading to expansion of Schwan's facilities
- Obtained \$273,300 in DTED grant/loan funding for local economic development projects

## TRUTH AND TAXATION PUBLIC HEARING – DECEMBER 4, 2000

- Completed design of construction drawings for North 7<sup>th</sup> Street and Kossuth Street bridge replacements
- Completed construction of almost \$2,000,000 in local public improvement construction projects (water, sanitary sewer, storm sewer and street construction)
- Replacement and training of K-9 Unit in Public Safety.

Following the review of the 2000 Accomplishments, Mike reviewed the 2001 Issues Confronting the City of Marshall:

- Construction of \$4,500,000 in WWTF improvements
- Airport terminal area development projects
- Water/sanitary sewer extensions to Airport
- Implementation of \$1,400,000 Downtown Redevelopment Program
- Complete construction of infrastructure, residential spec houses and town homes in Parkway Housing Addition
- Bridge replacements for North 7<sup>th</sup> Street and Kossuth Street
- Complete construction of M.E.R.I.T. Center projects and training venues
- Construction of soccer facilities at University
- Construction of downtown park
- Potential construction of new Family Community Center Project
- Feasibility analysis and master plan for golf course project
- Joint planning/zoning/subdivision plans with Lyon County
- Organizational staffing issues
- Reconstruction of County Road #33 and mill & overlay projects for Country Club Drive, East Lyon Street and North 3<sup>rd</sup> Street

Mike briefly reviewed the general fund total revenues and expenditures comparisons for the 12-year period 1990 through the budget year 2001. Mike then briefly reviewed the 1999 actual revenues and expenditures with the budgeted revenue and expenditures for 2000 and 2001. Mike also provided a brief summary of the capital outlay for the general fund for the year 2001. The handout provided to the council and general public included an explanation on how the property taxes are determined, a comparison on state aid for the budget years 1996 through 2001, and the allocation of the proposed 2001 tax levy and the budget impact on city taxes in comparison to the different values for residential, commercial and industrial property. The property tax class rate in the City of Marshall tax capacity was reviewed. The handout summarizing the breakdown of total tax capacity rate paid by the city and for the Marshall city residents from 1984 to present was reviewed. This summary also included tax capacity rates for Lyon County, the school district and Region VIII Welfare. The final handout that was reviewed was the 2000 tax capacity rates for cities of population of 8,000 and above in greater Minnesota. There were no comments from the city council in regard to the information that Mr. Johnson provided during the public hearing.

Russ Labat, President of the Marshall Volunteer Fire Relief Association, and Marc Klaith, Fire Chief, were the designated spokesmen for the fire department personnel who were in attendance at the meeting. The primary concern of the Marshall Volunteer

TRUTH AND TAXATION PUBLIC HEARING – DECEMBER 4, 2000

Fire Department was the recent action of the city council to eliminate the \$10,400, which was included in the Fire Department budget to go to the Marshall Volunteer Fire Relief Pension. Russ Labat addressed with the city council Article 1 Section 2 of the Marshall Volunteer Fire Department By-Laws, which addresses the purpose of the Fire Relief Pension Fund. The Fire Relief Association in fulfilling their fiduciary responsibility have done everything they can do to keep the city's contribution to the Relief Association at a reasonable rate. The Fire Relief Association is aware that the city is not required to make a contribution, but would like them to consider a small contribution to the Relief Association to show the city's support for the efforts and commitments that the fire department personnel have made to their volunteer positions as firemen on the Marshall Volunteer Fire Department. The \$10,400 that the Fire Department had requested to be in their budget is the equivalent of \$0.71 per day per firefighter.

Fire Chief Marc Klaith, took this opportunity to praise the Marshall Volunteer Fire Department for its efforts in their annual fundraiser to help raise funds to purchase additional equipment for the fire department. Marc Klaith stressed the importance of the city's contribution to the Volunteer Relief Association as a means of retaining good employees within the Fire Department and maintaining a good working relationship with the City of Marshall. Mr. Klaith was asking that the city reconsider at this time the \$10,400 contribution from the city to the Marshall Volunteer Fire Relief Association.

Mayor Byrnes took this opportunity to commend the Marshall Volunteer Fire Department for their dedication and commitment to the Marshall Volunteer Fire Department. Mr. Byrnes did indicate that it is very important to keep the fire department operation and relief association separate as two different entities.

Councilperson Boedigheimer indicated that the City of Marshall does have to comply with state laws as it relates to the city's contribution to the Volunteer Relief Association Pension Fund. If in the computations it does require that the city contribute to the Relief Association Pension Fund the city will do whatever is required, but since the city is not required to make a contribution at this time and the fund is solvent Mr. Boedigheimer is not in agreement with changing the budget to incorporate the \$10,400 to the Relief Association.

Don Brewster, a 30 year member of the Marshall Volunteer Fire Department, expressed his concern with the importance of the volunteers to the Marshall Volunteer Fire Department and the city's contribution to recognize these employees' time, talent and efforts in their contribution to the fire department. Mr. Brewster was requesting the city council reconsider their action for the Relief Association.

Mayor Byrnes did indicate that the final budget for the City of Marshall will be on the agenda for the December 18, 2000 City Council meeting and the discussion that took place at this meeting will be considered during the final adoption of the budget.

Mike Johnson, City Administrator, did express his appreciation to the Marshall Volunteer Fire Department for their attendance at the meeting.

TRUTH AND TAXATION PUBLIC HEARING – DECEMBER 4, 2000

With no further comments brought forth Rowe moved, Doyle seconded, the meeting be adjourned at 7:05 P.M. All voted in favor of the motion.

  
\_\_\_\_\_  
Mayor of the City of Marshall

ATTEST:

  
\_\_\_\_\_  
Financial Director/City Clerk

## REGULAR MEETING – DECEMBER 4, 2000

The regular meeting of the Common Council of the City of Marshall was held on December 4, 2000 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, Sturrock, Reynolds, Boedigheimer and Stores. Absent: none. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Thomas M. Meulebroeck, Financial Director/City Clerk; 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 of the council that the agenda be approved as presented.

Mayor Byrnes took this opportunity to welcome the two new council members David Sturrock and Daniel Stores.

### **APPROVAL OF THE MINUTES:**

Doyle moved, Reynolds seconded, that the minutes of the regular meeting held on November 20, 2000 be approved as corrected and as filed with each member and that the minutes of the special meeting held on November 27, 2000 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion, except Sturrock who abstained.

### **PUBLIC HEARINGS – VACATION OF UTILITY EASEMENT INDUSTRIAL PARK 1:**

This was the date and time set for a public hearing on the vacation of utility easements on Lots 1 through 6, Block 8 and Lots 6 through 8, Block 8 of Industrial Park 1. City Administrator Michael Johnson indicated that the council Schwan's Sales Enterprises, Inc., is planning a cold storage freezer addition to their existing warehouse facility. During the plan review it was discovered that the proposed addition would be located on an existing utility easement and that other buildings are currently located on existing utility easements. There were not objections therefore Sturrock moved, Reynolds seconded, the public hearing be closed. All voted in favor of the motion.

Rowe moved, Stores seconded, the adoption of ORDINANCE NUMBER 446, SECOND SERIES and that the reading of the same be waived. Ordinance Number 446, Second Series is an ordinance Vacating a Portion of a Utility Easement in the City of Marshall. This ordinance provides for the vacating of utility easements on Lots 1 through 6, Block 8 and Lots 6 through 8, Block 6, Marshall Industrial Park 1. All voted in favor of the motion, except Sturrock who abstained.

### **PUBLIC HEARING – REZONE TECHNOLOGY PARK ADDITION:**

This was the date and time set for a public hearing to rezone the Technology Park Addition of the City of Marshall from an I-1 (Limited Industrial District) to a PUB (Planned Unit Development District). City Administrator Mike Johnson, reviewed this

REGULAR MEETING – DECEMBER 4, 2000

request with the council. There were no objections, therefore Reynolds moved, Doyle seconded, the public hearing be closed. All voted in favor of the motion.

Rowe moved, Stores seconded, the adoption of ORDINANCE NUMBER 445, SECOND SERIES and that the reading of the same be waived. Ordinance Number 445, Second Series is an ordinance Amending Chapter 11 of the City Code Relating to Zoning. This ordinance provides for the rezoning of the Technology Park Addition of the City of Marshall from an I-1 (Limited Industrial District) to a PUB (Planned Unit Development District). All voted in favor of the motion, except Sturrock who abstained.

**AWARD OF BIDS – WASTEWATER TREATMENT FACILITY  
IMPROVEMENT:**

Bids were received, opened and read on November 15, 2000 at 10:00 A.M. for the Wastewater Treatment Improvements (Effluent Filters and Sludge Storage). Bids received, opened and read were as follows:

PKG Contracting, Inc.  
Fargo, North Dakota  
\$3,989,900

KHC Construction, Inc.  
Marshall, Minnesota  
\$4,043,000

Di-Mar Construction, Inc.  
Minnetonka, Minnesota  
\$4,160,000

Robert L. Carr Co.  
Marshall, Minnesota  
\$4,214,000

Gridor Construction, Inc.  
Plymouth, Minnesota  
\$4,334,400

Moorhead Construction Co., Inc.  
Moorhead, Minnesota  
\$4,528,000

Madsen-Johnson Corporation  
Hudson, Wisconsin  
\$4,859,600

City Administrator Mike Johnson reviewed these bids with the council. Mr. Mike Zagar of Short Elliott Hendrickson, Inc., was in attendance at the meeting and indicated that they have reviewed all of the bids. Mr. Zagar indicated that they requested a background/qualification package from PKG Contracting, Inc., which allowed them to review their experience with projects of this type and magnitude. A copy of this was forwarded to city staff for their review. The intended completion for this project is December 15, 2001. Doyle moved, Boedigheimer seconded, the bid for the Wastewater Treatment Facility Improvements (Effluent Filters and Sludge Storage) be awarded to PKG Contracting, Inc., Fargo, North Dakota in the amount of \$3,989,900.00. All voted in favor of the motion.

REGULAR MEETING – DECEMBER 4, 2000

**CONSENT AGENDA: 2001 LICENSE RENEWALS FOR LIQUOR, SUNDAY LIQUOR, OFF-SALE BEER, ON-SALE BEER, TOBACCO AND TRANSIENT MERCHANTS; BILLS/PROJECT PAYMENTS; AND BUILDING PERMITS:**

Rowe moved, Sturrock seconded, that the following consent agenda items be approved:

That the following 2001 License renewals for Liquor, Sunday Liquor, Off-Sale Beer, On-Sale Beer, Tobacco and Transient Merchants be approved:

**LIQUOR LICENSE APPLICATIONS (\$3,500 per year)**

- 1) American Legion Post 113
- 2) Apple American Ltd Pts of MN dba Applebee's Neighborhood Grill & Bar
- 3) Oregon Group LLC dba Best Western/Marshall Inn
- 4) Boulevard Developers dba Chalet Club
- 5) FOE Aerie 3405 dba Eagles Club
- 6) Percy Enterprises Inc dba the Gambler
- 7) Showers Recreation Centers Inc dba Marshall Bowl
- 8) Marshall Golf Club
- 9) Pappy's
- 10) Three Legged Dog Inc dba the Rock (*formerly Rumours & the Corner Bar*)
- 11) Sam's Place
- 12) the Wooden Nickel

**SUNDAY LIQUOR LICENSE APPLICATIONS (\$200 per year)**

- 1) American Legion Post 113
- 2) Apple American Ltd Pts of MN dba Applebee's Neighborhood Grill & Bar
- 3) Oregon Group LLC dba Best Western/Marshall Inn
- 4) Boulevard Developers dba Chalet Club
- 5) FOE Aerie 3405 dba Eagles Club
- 6) Percy Enterprises Inc dba the Gambler
- 7) Showers Recreation Centers Inc dba Marshall Bowl
- 8) Marshall Golf Club
- 9) Three Legged Dog Inc dba the Rock (*formerly Rumours*)
- 10) Sam's Place
- 11) the Wooden Nickel

**OFF-SALE NON-INTOXICATING BEER LICENSE APPLICATIONS (\$75.00 per year)**

- 1) Lyon County Co-op dba Ampride West
- 2) Casey's General Store
- 3) Cattoor Oil dba Phillips 66
- 4) Erickson Oil dba Freedom Valu Center
- 5) Hy-Vee Food Store
- 6) Hy-Vee Gas

**ON-SALE NON-INTOXICATING BEER LICENSE APPLICATIONS (\$200.00 per year)**

- 1) BRHB Inc dba Godfather's Pizza
- 2) Sky Ventures LLC dba Pizza Hut
- 3) VFW Post 742

REGULAR MEETING – DECEMBER 4, 2000

**TOBACCO LICENSE APPLICATIONS (\$60.00 per year)**

- 1) American Legion Post 113
- 2) Lyon County Co-op dba Ampride Main
- 3) Lyon County Co-op dba Ampride West
- 4) Casey's General Store
- 5) Cattoor Oil dba Phillips 66
- 6) Boulevard Developers dba the Chalet Club
- 7) County Market
- 8) FOE Aerie 3405 dba Eagles Club
- 9) Erickson Oil dba Freedom Valu Center
- 10) Percy Enterprises Inc dba the Gambler
- 11) Hy-Vee Food Store
- 12) Hy-Vee Gas
- 13) Marshall Golf Club
- 14) Pappy's
- 15) Three Legged Dog Inc dba the Rock *(formerly Rumours & the Corner Bar)*
- 16) Sam's Place
- 17) SSU Bookstore
- 18) Cattoor Oil dba Super America
- 19) Super Stop & Wash of Marshall dba Texaco Super Stop & Wash
- 20) Wal-Mart
- 21) the Wooden Nickel

**TRANSIENT MERCHANT LICENSE (\$250.00 per year)**

- 1) Walt Shrader dba WVS Marketing

That the following bills and project payments be authorized for payment:  
ACCOUNTS PAYABLE, Voucher No. 26355 through 26461.

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

Applicant	Location Address	Description of Work	Valuation
1. True Value Home Center	203 Stephen Avenue	Dwelling	\$110,000
2. REM, Inc.	403 Kathryn Avenue	Replace Windows & Basement Remodel	\$8,000
3. Bladholm Construction, Inc.	356 West Main Street	Repair Wall	\$5,900
4. D&G Excavating, Inc.	104 South 1st Street	Demolish Three Warehouse Buildings	\$0
5. Bofferding's Flower Shoppe	1113 East College Drive	Temporary Transportable Sign	\$0
6. Geske Building & Supply Co.	317 North Highway 59	Interior & Exterior Remodel	\$17,500
7. Mike Buysse Construction	1405 South Saratoga Street	Addition	\$15,000
8. Dennis Veldhuisen	429 West Main Street	Replace Door	\$1,000



**RESOLUTION OF SUPPORT FOR MARSHALL SCHOOL DISTRICT #413  
BOND ISSUE:**

Reynolds moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2297, SECOND SERIES and that the reading of the same be waived. Resolution Number 2297, Second Series is a resolution Supporting Marshall School District #413 Efforts on the December 19, 2000 Bond Issue. Don Edblom, former City Council member, spoke in support of the bond issue and urged the council members to all vote in favor of the resolution. Be it noted that the council chambers was standing room only and that there were many supporters in the hallway. Councilperson Rowe stated that the council is not the vote of the people and the vote of the people is what counts. Councilperson Sturrock felt it was inappropriate for the City to take a position on the School Bond Issue. Greg Flack of the "Together We Can" Committee indicated that they are seeking an endorsement from the city. Councilperson Boedigheimer questioned why the bond issue was all or nothing and indicated that he would like to have seen 2 or 3 parts to the bond issue. Kathy Reiber, Chairperson Marshall School Board, asked for the full support of the City Council for the Bond Issue. Howard Miller, representative Schwan's Sales Enterprises, spoke in favor of the proposed bond issue. He stated that it was important for the City Council to take a leadership roll for what is in the best interest. He also indicated that Schwan's is the largest employer in the City of Marshall and that a good public school system is very important to their recruitment of employees. John Drown stated that the council should listen to the voice of the people. Voting in favor of the motion were: Doyle, Byrnes, Reynolds and Stores. Voting no were: Rowe, Boedigheimer and Sturrock.

A 5-minute recess was called at this time.

**SUPPLEMENTAL LETTER OF AGREEMENT WITH SEH FOR  
CONSTRUCTION PHASE SERVICES:**

Doyle moved, Reynolds seconded, that the proper city personnel be authorized to enter into a Supplemental Letter of Agreement with Short Elliot Hendrickson for professional services. This agreement provides for construction phase services in connection with the need for new effluent filter and sludge storage facilities at the Marshall Wastewater Treatment Facility at a cost of \$187,814.00. This agreement provides for a Resident Project Representative for up to 950 hours during the time frame of May 1 to December 1, 2001. All voted in favor of the motion.

Rowe moved, Reynolds seconded, that a public hearing be held on December 18, 2000 at 7:30 P.M. to adopt the proposed Wastewater User Rates. All voted in favor of the motion.

**AUTHORIZING AND AWARDING SALE OF BONDS:**

Jerry Shannon, Springsted Public Finance Advisors, was in attendance at the meeting to review the bids that were received on Monday, December 4, 2000 concerning each of the bond issues. Mr. Shannon indicated that Moody's has assigned an A3 rating to the City of Marshall. This A3 rating is based on the city's satisfactory financial position; stable local economy with some concentration in the food processing industry

## REGULAR MEETING – DECEMBER 4, 2000

and below average wealth levels; and the city's high debt position, which is heavily supported by non-levy sources. Sturrock moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2295, SECOND SERIES and that the reading of the same be waived. Resolution Number 2295, Second Series is a resolution Authorizing and Awarding the Sale of, and Providing the Form, Terms, Covenants and Directions for \$5,200,000 General Obligation Sewer Revenue Bonds Series 2000A. These bonds were awarded to Robert W. Baird & Company, Inc., at a true interest rate of 5.2141%. All voted in favor of the motion.

Doyle moved, Sturrock seconded, the adoption of RESOLUTION NUMBER 2296, SECOND SERIES and that the reading of the same be waived. Resolution Number 2296, Second Series is a resolution Authorizing and Awarding the Sale of, and Providing the Form, Terms, Covenants and Directions for \$1,570,000 General Obligation Improvement Bonds, Series 2000B. These bonds were awarded to Painewebber Inc., Morgan Stanley Dean Witter Salomon Smith Barney CIB World Markets Cronin & Company Inc., at a true interest rate of 4.8413%. All voted in favor of the motion.

### **AMENDMENT TO ADDENDUM A OF AGREEMENT FOR CONTINUING DISCLOSURE SERVICES:**

Boedigheimer moved, Rowe seconded, the approval of the Amendment to Addendum A of Agreement to Continuing Disclosure Services with Springsted Incorporated. This addendum adds the \$5,200,000 General Obligation Sewer Revenue Bonds, Series 2000A and the \$1,570,000 General Obligation Improvement Bonds, Series 2000B to the original agreement. All voted in favor of the motion.

### **AMENDMENT TO ADDENDUM B OF AGREEMENT FOR ARBITRAGE AND REBATE MONITORING:**

Rowe moved, Boedigheimer seconded, the approval of the Amendment to Addendum B of Agreement for Arbitrage and Rebate Monitoring. This addendum adds the \$5,200,000 General Obligation Sewer Revenue Bonds, Series 2000A and the \$1,570,000 General Obligation Improvement Bonds, Series 2000B to the original agreement. All voted in favor of the motion.

### **VARIANCE ADJUSTMENT PERMIT – SCHWAN'S SALES ENTERPRISES INC., MICHIGAN ROAD AND SUPERIOR ROAD:**

Jerry Pauley, Engineer, Schwan's Sales Enterprises, was in attendance at the council meeting to review this request. He indicated that the variance would allow for an addition to the freezer plant which already has a front yard setback of 0 feet. Boedigheimer moved, Reynolds seconded, the approval of a Variance Adjustment Permit for Schwan's Sales Enterprises to construct a freezer addition at the distribution warehouse at 601 Michigan Road with a front yard setback of 0 feet on both Michigan Road and Superior Road. All voted in favor of the motion.

**APPOINTMENTS OF COUNCILMEMBERS TO BOARDS, COMMISSIONS, AND COMMITTEES:**

Mayor Byrnes made the following appointments of the Councilmembers to the various boards, commissions and committees:

Personnel Committee: Rowe, Reynolds and Stores

Ways and Means Committee: Doyle, Boedigheimer and Stores

Legislative and Ordinance Committee: Sturrock, Reynolds and Boedigheimer

Public Improvement/Transportation Committee: Sturrock, Doyle and Rowe

Airport Commission: Boedigheimer

Cable Television Commission: Sturrock

Charter Commission: Rowe

Community Services Advisory Board: Rowe

Economic Development Authority: Doyle and Byrnes

Hospital Board: Reynolds

Housing Commission: Doyle

Human Rights Commission: Doyle

Insurance Advisory Commission: Stores

Library Board: Stores

Planning Commission: Rowe

Senior Citizen Center Commission: Boedigheimer

Utilities Commission: Sturrock

Downtown Redevelopment: Reynolds

Convention & Visitors Bureau: Doyle

Fire Relief Association: Byrnes

Lyon County Enterprise Development: Boedigheimer

Lyon County Ice Facility: Reynolds, Stores and Sturrock

Marshall Area Transit: Doyle

M.E.R.I.T. Fire Training Center: Rowe

Regional Development Commission: Byrnes

City Council-County Board/Library Agreement & Operations: Doyle and Stores

Joint Law Enforcement Committee: Sturrock and Boedigheimer

Lyon County Historical Society: Reynolds and Doyle

Lyon County Humane Society: Rowe and Boedigheimer

**SELECTION OF PRESIDENT PRO-TEM:**

Councilmember Ted Rowe was nominated as the President Pro-Tem, therefore Reynolds moved, Sturrock seconded, that nominations cease and that a unanimous ballot be cast for Ted Rowe as the President Pro-Tem for the City Council. All voted in favor of the motion.

**APPOINTMENT OF CITY ATTORNEY AND APPROVAL OF MEMORANDUM OF UNDERSTANDING:**

Stores moved, Reynolds seconded, that Brian Murphy be appointed as the City Attorney for the City of Marshall for a two year term and the approval of a Memorandum of Understanding. All voted in favor of the motion.

REGULAR MEETING – DECEMBER 4, 2000

**DRAFT EMPLOYMENT AGREEMENT FOR DIVISION HEADS:**

Reynolds moved, Doyle seconded, that the draft employment agreement for the Division Heads be referred to the Personnel Committee. All voted in favor of the motion.

**IDENTIFICATION OF INDIVIDUALS TO SERVE ON CHARTER COMMISSION:**

At the regular City Council meeting held on November 6, 2000 Mayor Byrnes requested the members of the City Council to identify individuals within the City of Marshall that would be willing to serve on the City's Charter Commission. The names that were brought forth at this time included: Cork J. Kizer, Maureen Stores, Kathy Lozinski, Paul Imm, Bill Cole, Roma Mortenson Kindschi and Mary Meffert.

**MAYOR AND COUNCILMEMBER REPORTS:**


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

- Byrnes        EDA has approved a loan of \$100,000 to Prairieland Economic Development.
- Boedigheimer Airport Commission meets Monday, December 18<sup>th</sup>; Senior Citizen Center Commission will meet on December 13<sup>th</sup>; the Lyon County Enterprise Development, meeting was postponed; and the Jt. LEC has not met.
- Doyle        Housing Commission minutes are included in the agenda packet; Human Rights Commission will meet on December 18<sup>th</sup>.
- Rowe        Library Board has 2 openings on their board and they will be meeting on Monday, December 18<sup>th</sup>.
- Reynolds    Hospital Board will be meeting on December 18<sup>th</sup>.


**COUNCILPERSON INDIVIDUAL ITEMS:**

Other items of concern brought forth by the Mayor and Councilmembers included: having adequate accommodations in the city for a Coalition meeting; there were problems with the snow blower at the airport; the January meeting schedule was discussed; a retreat and a joint meeting with the Hospital Board was also discussed.

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

  
Mayor of the City of Marshall

ATTEST:

  
Financial Director/City Clerk

## REGULAR MEETING – DECEMBER 18, 2000

The regular meeting of the Common Council of the City of Marshall was held on December 18, 2000 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, Sturrock, Reynolds, Boedigheimer and Stores. Absent: none. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Thomas M. Meulebroeck, Finance Director/City Clerk; Rob Yant, Director of Public Safety; Bob VanMoer, Wastewater Treatment Superintendent; Phil Dwire, Chairperson for the Safety Committee; and ten members of 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 City Council that the agenda be approved with the deletion of item number 15, which was the consideration of a resolution accepting a deed to the City of Marshall.

### **APPROVAL OF MINUTES:**

Rowe moved, Doyle seconded, that the minutes of the Truth and Taxation meeting held on December 4, 2000 be approved as filed with each member and that the reading of the same be waived; and that the minutes of the regular meeting held on December 4, 2000 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.

### **PUBLIC HEARING – WASTEWATER USER RATES FOR FY 2001:**

This was the date and time set to consider the Wastewater User Rates for the year 2001. The proposed rates had been calculated based on financial analysis of the Wastewater Treatment Facility Fund as prepared by Springsted's Inc. Springsted's had reviewed the 2001 Wastewater Treatment Facility Improvement Project, Debt Service Obligations and the 5-year projection of the Wastewater Treatment Facility Fund and had determined that a 3% increase in each of the next 5 years would keep the fund stable. Mike Johnson, City Administrator, reviewed the proposed rate structure for the Wastewater Treatment Facility for the year 2001. There were no comments or questions, therefore Doyle moved, Reynolds seconded, that the public hearing be closed. All voted in favor of the motion.

Reynolds moved, Rowe seconded, the adoption of RESOLUTION NUMBER 2298, SECOND SERIES and that reading of the same be waived. Resolution Number 2298, Second Series is a Resolution Revising the User Rates for the Wastewater Treatment Facility. The rates as adopted in this resolution are effective January 1, 2001. In reviewing the history on the rates for the Wastewater Treatment Facility a question was raised in regard to the increase in rates in the year 1993. In response to this concern it was indicated that a temporary increase in the surcharge was to increase revenues to cover some expenses due to flooding that had taken place prior to 1993. All voted in favor of the motion.

### **AWARD OF BID FOR THE PICK UP OF GARBAGE AND TRASH FOR VARIOUS CITY LOCATIONS:**

The following bid was received, opened and read on December 4, 2000 for the pickup of garbage and junk at numerous City of Marshall locations for the 2-year period January 1, 2001 through December 31, 2002.

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**UNIT BID SCHEDULE OF UNIT PRICES PER LOCATION**

<u>Location</u>	<u>Job Description</u>	<u>Bidder to Fill in Prices for two Year Fee</u>
1. Wastewater Treatment Plant	Twice per week, two (2) One-yard containers	\$ 4,253.86
	Twice per week, one (1) one and one-half yard containers	Included
2. Municipal Airport	Once a week, one (1) one yard container	\$ 759.00
3. Street Department Shops	Once per week, one (1) one yard container	\$ 915.20
4. Main Street between College Drive and 5th St., & 3rd St. between Main St. & Lyon St.	Ten (10) sidewalk containers, once (1) per week. Pickup before 6:00 A.M.	\$ 1,100.00
5. Municipal Liquor Store	Two (2) times per week, one (1) one and one-half yard container	\$ 1,752.00
6. Municipal Building	Five (5) days per week two (2) 30 gallon containers	\$ 493.90
7. Senior Citizen Center Building	Two (2) times per week, one (1) one yard container	\$ 1,752.00
Sub Total		\$11,025.96
Sales Tax		\$ 1,874.41
<b>TOTAL BID</b>		<b>\$12,900.37</b>

**ALTERNATES**

PROVIDE THE FEE PER CONTAINER FOR THE FOLLOWING "ON CALL SAME DAY SERVICE" FOR THE FOLLOWING LOCATIONS:

	<u>Per Container Fee</u>
A. One (1) yard container: A (1) Municipal Airport	\$18.00
B. One and one-half (1 ½) yard container: B (1) Fire Station	\$24.00
B (2) Park Maintenance Shop	\$24.00

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C. Three (3) yard container:

C (1) Legion Field Park	\$41.00
C (2) Justice Park	\$41.00
C (3) Softball Complex	\$41.00
C (4) Swimming Pool	\$41.00
C (5) Independence Park – Baseball Complex	\$41.00

D. Six (6) yard container:

D (1) Independence Park	\$77.00
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*FEE FOR ALTERNATE BID FOR RECYCLING:*

1. Wastewater Treatment Plant	On Call	FREE
2. Municipal Building	On Call	FREE
3. Independence Park (Baseball Complex)	Weekly Recycling estimated 20 times/year	FREE
4. Legion Park (Baseball Complex)	Weekly Recycling estimated 20 times/year	FREE
5. Municipal Liquor Store	Recyclable corrugated cardboard 4 times/week	FREE
6. Swimming Pool	Weekly Recycling estimated 20 times/year	FREE

Boedigheimer moved, Reynolds seconded, the bid for the pickup of garbage and junk at numerous City of Marshall locations for the 2 year period beginning January 1, 2001 be awarded to Ritter's Sanitary Service Inc., Marshall, Minnesota in the amount of \$12,900.37 plus the per container fee of \$18.00 for a one yard container; \$24.00 for a one and one-half yard container; \$41.00 for a 3 yard container; \$77.00 for a six yard container; and that there be no charge for the pickup of recycling items. All voted in favor of the motion.

**APPROVAL OF CONSENT AGENDA: 2001 LICENSE RENEWALS FOR ON-SALE BEER, OFF-SALE BEER AND TOBACCO; TEMPORARY LIQUOR LICENSE – VOLUNTEER FIRE FIGHTERS RELIEF ASSOCIATION; REFUSE HAULER'S LICENSE FOR CURRY SANITATION; ESTABLISH DATE FOR A PUBLIC HEARING FOR THE TRANSFER OF AN ON-SALE INTOXICATING LIQUOR LICENSE – PAPPY'S; APPOINTMENT OF COMMISSIONERS TO THE HOUSING AND REDEVELOPMENT AUTHORITY; BILLS/PROJECT PAYMENTS; BUILDING PERMITS:**

Doyle moved, Sturrock seconded, that the following Consent Agenda items be approved:

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That the following 2001 License renewals for On-Sale Beer, Off-Sale Beer, and Tobacco be approved:

**OFF-SALE NON-INTOXICATING BEER LICENSE APPLICATIONS (\$75.00 per year)**

La Mexicana

**ON-SALE NON-INTOXICATING BEER LICENSE APPLICATIONS (\$200.00 per year)**

King's Wok Buffet

**TOBACCO (\$60/year)**

Brad's One Stop Plus

K.C.'s Pawn & Gun Shop

La Mexicana

Marshall Liquor Store

Traveler's Lodge Motel

A Temporary On-Sale Intoxicating Liquor License be granted to the Marshall Volunteer Fire Department Relief Association for the annual recognition party to be held at SSU Food Service West, 1501 State Street, on January 20, 2001.

A Refuse Haulers License for Curry Sanitation be approved for the period January 1, 2001 through March 31, 2001 at a fee of \$120.00.

January 8, 2001 at 7:30 P.M. was the date and time set for a public hearing to consider a transfer of an On-Sale Intoxicating Liquor License from Becky Brownlee dba Pappy's to Yukon, Inc., dba as Pappy's.

That RESOLUTION NUMBER 2299, SECOND SERIES be adopted and that the reading of the same be waived. Resolution Number 2299, Second Series is a Resolution Approving the Appointment of Commissioners to the Housing and Redevelopment Authority in and for the City of Marshall. This resolution provides for the appointment of David E. Sturrock and Daniel Stores to the Housing and Redevelopment Authority for 5 years expiring on December 8, 2005.

That the following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 26462 through 26701.

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

Applicant	Location Address	Description of Work	Valuation
1. Gleeson Constructors, Inc.	601 Michigan Road	Freezer Addition	\$4,900,000
2. Nesper Sign Advertising	904 East Main Street	Install Signs	\$12,200
3. John & Jennifer McDonald	112 Gray Place	Interior Remodel	\$3,600
4. Betty Henle	208 West Main Street	Replace Door Frame	\$600
5. Marshall Contractors Supply	1209 West Main Street	Demolish Storage Building	\$0
6. Stuart Soehl	501 West Southview Drive	Basement Remodel	\$3,000

All voted in favor of the motion.



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Reynolds moved, Sturrock seconded, the approval of a Towing and Storage License for the year 2001 for Brad's One Stop Plus at a fee of \$150.00. This license was approved with the fee as provided by Councilperson Boedigheimer at this meeting. All voted in favor of the motion.

### **CONSIDER PURCHASE OF THERMAL IMAGING CAMERA FOR THE MARSHALL FIRE DEPARTMENT:**

Marc Klaith, Fire Chief Marshall Volunteer Fire Department, was in attendance at the meeting to address with the city council the purchasing of a Thermal Imaging Camera at a cost of approximately \$18,500. Mr. Klaith was requesting that the city council purchase this piece of equipment and that the Marshall Volunteer Fire Department would reimburse the city \$5,000 at the time of the purchase and would repay the city \$4,500 for the next 3 years, starting in December 2001. Boedigheimer moved, Doyle seconded, that the proper personnel from the Marshall Volunteer Fire Department be authorized to proceed with the purchasing of a Thermal Imaging Camera for the Marshall Volunteer Fire Department at a cost of approximately \$18,500 and that the Marshall Volunteer Fire Department be allowed to reimburse the city \$5,000 at the time of the purchase and would reimburse the city \$4,500 for the next three years, beginning in December 2001. All voted in favor of the motion.

The City Council was informed at this time that the Marshall Fire Relief Association had made a \$500 donation to the Marshall Volunteer Fire Department Scholarship Fund.

### **CONSIDER RECOMMENDATION FROM SAFETY COMMITTEE TO ADOPT THE A.W.A.I.R. SAFETY MANUAL:**

Per the recommendation of the City of Marshall Safety Committee, Reynolds moved, Stores seconded, to adopt the A.W.A.I.R. Safety Manual. This manual was assembled by the City of Marshall Employee Safety Committee and in conjunction with Kurt Rothwell, MMUA Safety Coordinator, as part of the on going contract with the Minnesota Municipal Utility Association Safety Program. Kurt Rothwell along with the safety committee will be working with the various departments to coordinate the implementation of this manual, which will serve as a guideline to the operations of the City of Marshall. All voted in favor of the motion.

### **CONSIDER RESOLUTION ADOPTING A BUDGET FOR 2001:**

Mike Johnson, City Administrator, briefly reviewed the 2000 accomplishments and the 2001 issues confronting the City of Marshall, which were addressed at the Truth and Taxation meeting held December 4, 2000. Following a brief review of the accomplishments and issues confronting the City of Marshall, Rowe moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2300, SECOND SERIES and that the reading of the same be waived. Resolution Number 2300 Second Series is a Resolution Adopting the City of Marshall Budget for the year 2001. This budget provides for the General Fund revenues to be \$7,748,495 and expenditures to be \$7,839,798 of which the revenues will be supported by a tax levy of \$2,384,781. All voted in favor of the motion.

### **CONSIDER RESOLUTION APPROVING 2000 TAX LEVY, COLLECTIBLE IN 2001:**

Reynolds moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2301, SECOND SERIES and that the reading of the same be waived. Resolution Number 2301, Second Series is a Resolution Approving 2000 Tax Levy Collectible in 2001. This resolution provides for the General Fund Levy of \$2,384,781 and the Debt Service Levy of \$279,589 for a total levy of \$2,664,370. All voted in favor of the motion.

### **CONSIDER MARSHALL AREA SENIOR CENTER, INC. YEARLY RENTAL AGREEMENT:**

Rowe moved, Boedigheimer seconded, that the proper city personnel be authorized to execute the agreement between Marshall Area Senior Citizen Inc., and the City of Marshall for the rent of the Marshall Senior Center located at 107 South 4<sup>th</sup> Street. This agreement provides

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for the Marshall Area Senior Citizen Inc., to pay \$550 per month for the rent of this facility. It was suggested that since the rent has been \$550.00 per month for 10 years, that this be reviewed more thoroughly for the 2002 rent agreement. All voted in favor of the motion.

### **CONSIDER CHANGE ORDER NO. 4 FOR THE FIRE-TRAINING TOWER ON THE M.E.R.I.T. CENTER PROJECT:**

Stores moved, Sturrock seconded, the approval of Change Order No. 4 for the contract with KHC Construction Inc., for the construction of the fire-training tower at the M.E.R.I.T. Center. This change order is for an additional \$693.45 for two manhole covers and their installation in the floors of the tower. The two manhole covers were specially designed and fabricated for this project. All voted in favor of the motion.

### **CONSIDER TRANSFER OF MONIES TO THE 1992 DEBT SERVICE PUBLIC IMPROVEMENT FUND (373):**

The 1992 Debt Service Public Improvement Fund (373) has a number of special assessments that have been either deferred or forfeited to the State of Minnesota, therefore there is not sufficient funds within this fund to pay the remaining debt service, therefore per the request of Thomas M. Meulebroeck, Finance Director/City Clerk, Boedigheimer moved, Sturrock seconded, that \$77,000 be transferred from the "429" Public Improvement Revolving Fund (495) to the 1992 Debt Service Public Improvement Fund (373) and that once the debt obligations have been met on this bond issue any monies and receivables for special assessments be transferred back to the "429" Revolving Fund. All voted in favor of the motion.

### **CHANGE OF MEETING DATES FOR CITY COUNCIL:**

Due a number of city council meetings falling on holidays in 2001, Reynolds moved, Doyle seconded, that the following city council meeting dates be changed: January 1<sup>st</sup>, New Year's Day, be changed to January 8<sup>th</sup>; January 15<sup>th</sup>, Martin Luther King Jr. Day, be changed to January 22<sup>nd</sup>; February 19<sup>th</sup>, Presidents' Day, be changed to February 20<sup>th</sup>; and September 3<sup>rd</sup>, Labor Day, be changed to September 4<sup>th</sup>. All voted in favor of the motion.

### **CONSIDER RESOLUTION APPOINTING MEMBERS TO THE CHARTER COMMISSION:**

Doyle moved, Stores seconded, the adoption of RESOLUTION NUMBER 2302, SECOND SERIES and that the reading of the same be waived. Resolution Number 2302, Second Series is a Resolution Appointing Members to the City of Marshall Charter Commission, and establishing their Terms of Office. Once this resolution has been executed by the proper city personnel City Attorney Brian Murphy will file the order of appointing commissions with the County Court System. All voted in favor of the motion.

### **CONSIDER APPOINTMENTS TO INDUSTRIAL PARK DESIGN REVIEW COMMITTEE:**

As recommended by Mayor Byrnes, Sturrock moved, Reynolds seconded, the following personnel be appointed to the Industrial Park Design Review Committee for the Planned Unit Development in the Technology Park: Mike Dulas and Gary Becker from the Chamber of Commerce Industrial Development Committee; Tom Ogdahl from the Planning Commission; Ted Rowe from the City Council; and the City's Interim City Engineer. All voted in favor of the motion.

### **MAYOR AND COUNCILMEMBER REPORTS:**

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

Byres            EDA had met last week and considered the first applicant for one of the Parkway Housing units and it was determined that they do qualify for one of the homes, a update on the status of the homes being constructed in this area was provided; Regional Development Commission had met last week.

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- Stores      Library Board did met on December 11<sup>th</sup> and reviewed their strategic plan; during the week of February 12, 2001 new carpet and desk will be installed in the Children's Library at the Marshall Lyon County Library.
- Sturrock      Cable Commission met on December 12<sup>th</sup> and reviewed the franchise process; Utility Commission will be meeting on December 20<sup>th</sup>.
- Boedigheimer      Airport Commission the Federal Aviation Authority requires that every 5 to 6 years an appointment be made of the Architect/Engineer for the Airport operations; Senior Citizen Center Commission minutes are included with the agenda packet; and the Lyon County Enterprise Development will be meeting in 2001.
- Doyle      Human Rights Commission met December 18<sup>th</sup> and the year-end report was reviewed.
- Rowe      Planning Commission – no meeting; Community Services Advisory Board met and discussed their plans for January and February, they will be reviewing the strategic and comprehensive plan, a tree planting program was discussed, and a warning in regard to the ice on the ponds was addressed.
- Reynolds      Hospital Board did meet on December 18<sup>th</sup>; the Downtown Redevelopment Committee will be meeting on December 27<sup>th</sup> and the City Council Personnel Committee needs to meet before the next City Council meeting on January 8<sup>th</sup>.

### COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Councilmembers included a concern with a response from the City of Marshall insurance adjusters in regard to sewer backups along Boxelder Avenue; a concern with the speed limit along Highway 23 from the Hwy 19 & 23 intersection to County Road 7 – a contact will be made to MN/DOT with this concern; favorable comments were received in regard to the Christmas Tree Walk on Third Street; Linda Erb has prepared information for the Coalition Conference to be held in the City of Marshall in 2002 and 2003 as an alternate year; a concern was expressed with the difference between budget amounts and year to date expenditures in a report dated 11-8-00 that was submitted to the council with the budget for the year 2001 – the city council was informed that budget adjustments had been made as a result of the November 20, 2000 city council meeting; the possibility of 4-way traffic lights being installed at intersections along the Hwy 23 by-pass was addressed; the time table for the construction of the new post office is planned for the spring of 2001; the Citizens Police Academy was indicated as an excellent program as a number of members of the city council have participated in this program; the city council was informed that there is a tree in the Library with ornaments on it identifying various contributions that people can make to the library; the stockpiling of snow behind the Poor Borch's business was addressed and it was indicated that this would be addressed with the interim City Engineer Dan Sarff.

### DETERMINATION TO GO INTO CLOSED SESSION:

As recommended by City Attorney Brian Murphy, Doyle moved, Sturrock seconded, that the City Council go into a closed session pursuant to Attorney-Client privilege in regards to the Taylor condemnation (MN Statutes 471.705 Subd. 1d.e.) at 9:10 P.M. All voted in favor of the motion.

A 3-minute break was taken at this time.

Rowe moved, Sturrock seconded, that the closed session be adjourned at 9:29 P.M. All voted in favor of the motion.

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There was no action taken on the discussion that took place during the closed session in reference to the Taylor condemnation.

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

  
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Mayor of the City of Marshall

ATTEST:

  
\_\_\_\_\_  
Financial Director/City Clerk