

REGULAR MEETING – JANUARY 8, 2001

The regular meeting of the Common Council of the City of Marshall was held on January 8, 2001 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, 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; Rob Yant, Director of Public Safety; Kim Jergenson, Engineer Technician; Jane DeVries, Deputy City Clerk; and several police officers.

The Pledge of Allegiance was recited at this time.

APPROVAL OF THE BUDGET:

It was the general consensus of the City Council that the agenda be approved with the deletion of item number 4, which is the recommendation of the Hospital Board to purchase an enhanced CT scanner.

APPROVAL OF THE MINUTES:

Rowe moved, Reynolds seconded, that the minutes of the regular meeting held on December 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.

PUBLIC HEARING – TRANSFER OF ON-SALE LIQUOR LICENSE FROM BECKY BROWNLEE TO YUKON, INC.:

This was the date and time set for a public hearing on the transfer of an on-sale intoxicating liquor license from Becky Brownlee dba Pappy's to Yukon, Inc., (Tom Percy) dba Pappy's. Thomas M. Meulebroeck, Finance Director/City Clerk, reviewed this application with the city council. There was a question in regard to the parking for this facility. Mr. Meulebroeck indicated that the parking for the place of business is the same as when the original liquor license was approved for Pappy's. It was indicated that Mr. Percy also holds the liquor license for the Gambler and the City of Marshall allows one person to hold up to two on-sale liquor licenses. There were no other questions or comments, therefore Reynolds moved, Doyle seconded, the public hearing be closed. All voted in favor of the motion.

Stores moved, Reynolds seconded, the approval of the transfer of an on-sale intoxicating liquor license from Becky Brownlee dba Pappy's to Yukon, Inc., (Tom Percy), dba Pappy's. This license will expire on December 31, 2001. All voted in favor of the motion.

Doyle moved, Reynolds seconded, the approval of an on-sale Sunday liquor license for Yukon, Inc., (Tom Percy), dba Pappy's. This license will expire on December 31, 2001 and the fee for this license is \$200.00. All voted in favor of the motion.

APPROVAL OF CONSENT AGENDA: MINNESOTA LAWFUL GAMBLING APPLICATION FOR EXEMPT PERMIT LG 220 FOR SSU FOUNDATION RAFFLE TO BE HELD ON 3-5-01; MINNESOTA LAWFUL GAMBLING APPLICATION FOR EXEMPT PERMIT LG220 FOR LYON COUNTY PHEASANTS FOREVER; APPLICATION FOR CONSUMPTION AND DISPLAY PERMIT – SOUTHWEST STATE UNIVERSITY; CIGARETTE LICENSE APPLICATION FOR RENEWAL FOR K-MART; RESOLUTION DESIGNATING OFFICIAL NEWSPAPER; RESOLUTION DESIGNATING OFFICIAL DEPOSITORIES; MEMORANDUM OF AGREEMENT BETWEEN SENIOR NUTRITION SERVICES, WESTERN COMMUNITY ACTION,

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**INC AND SENIOR CITIZENS COMMISSION; BILLS/PROJECT PAYMENTS;
BUILDING PERMITS:**

Doyle moved, Doyle moved, Rowe seconded, BE IT RESOLVED, that the proper City personnel be authorized to advise the State of Minnesota Charitable Gambling Control Board that they have approved the Application for Exempt Permit –LG 220 for the SSU Foundation for a raffle to be held on Monday, March 5, 2001, at the SSU Fine Arts Theater. All voted in favor of the motion.

Doyle moved, Rowe seconded, BE IT RESOLVED, that the proper City personnel be authorized to advise the State of Minnesota Charitable Gambling Control Board that they have approved the Application for Exempt Permit –LG 220 for the Lyon County Pheasants Forever to be used at Southwest State University, Student Center West, Marshall, Minnesota on March 29, 2001. All voted in favor of the motion.

Doyle moved, Rowe seconded, that the following Consent Agenda items be approved:

A Consumption and Display Permit for Southwest State University at a fee of \$100.00. This license will expire on March 31, 2001.

A Tobacco License be renewed for K-Mart at a fee of \$60.00. This license will expire on December 31, 2001.

The adoption of RESOLUTION NUMBER 2303, SECOND SERIES and that the reading of the same be waived. Resolution Number 2303, Second Series is a resolution Designating the Marshall Minnesota "Independent" as the Official Newspaper for the City of Marshall.

The adoption of RESOLUTION NUMBER 2304, SECOND SERIES and that the reading of the same be waived. Resolution Number 2304, Second Series is a resolution Appointing Official Depositories for City Funds for 2001.

That the proper city personnel be authorized to enter into a Memorandum of Agreement between Senior Nutrition Services, Western Community Action, Inc., and Senior Citizens Commission, City of Marshall. This agreement provides Western Community Action to pay the City of Marshall \$0.06 per meal for all hot meals prepared at the Marshall Senior Center. This agreement is for the period January 1, 2001 through December 31, 2001.

That the following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 26702 through 26943.

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

Applicant		Location Address	Description of Work	Valuation
1.	St. Aubin Drywall	1604 Superior Road	Construct Partitions	\$50,000
2.	Julian Funes	110 West Southview Drive	Basement Remodel	\$2,000
3.	John Pollock	1122 Horizon Circle	Basement Remodel	\$3,500
4.	Sussner Construction, Inc.	1632 West College Drive	Hangar Additions and Remodel	\$163,500

AGREEMENT BETWEEN CITY OF MARSHALL AND GROUP II ARCHITECTS:

Mike Johnson, City Administrator, reviewed with the council the proposed architectural agreement between the City of Marshall and Group II Architects for the two proposed new hangar buildings at the Marshall Municipal Airport. The proposed Hanger Building No. 1 is for Schwan's Sales Enterprises and the proposed Hangar Building No. 2 is for Midwest Aviation, Inc. These two buildings are proposed to be designed by the City of Marshall and leased back to the two respective entities. The proposed financing for these projects would be with revenue bonds, with an ultimate leaseback to the two respective owners. Sturrock moved, Stores seconded, the proper city personnel be authorized to enter in agreement with Group II Architect for architectural fee as they relate to Hangar No. 1 for Schwan's Sales Enterprises at a fee of \$26,300 and for Hangar Building No. 2 for Midwest Aviation, Inc., at a fee of \$37,200. All voted in favor of the motion.

AGREEMENT FOR GEOTECHNICAL SERVICES AT THE MARSHALL MUNICIPAL AIRPORT:

Boedigheimer moved, Rowe seconded, the adoption of RESOLUTION NUMBER 2305, SECOND SERIES and that the reading of the same be waived. Resolution Number 2305, Second Series is a resolution Accepting the Proposal for geotechnical investigations for various projects throughout the City of Marshall and authorize the proper city personnel to enter an agreement with American Engineering Testing, Inc., Marshall, Minnesota in the amount of \$14,238.00. All voted in favor of the motion.

ORDERING PREPARATION OF REPORT ON IMPROVEMENT FOR VARIOUS WATERMAIN PROJECTS:

Doyle moved, Sturrock seconded, the adoption of RESOLUTION NUMBER 2306, SECOND SERIES and that the reading of the same be waived. Resolution Number 2306, Second Series is a resolution Ordering Preparation of Report on Improvement for Project 2001-001 which is Rainbow Drive Watermain Replacement Project from Madrid Street to a point approximately 650 feet south of Madrid Street; Project 2001-002 which is "H" Street Watermain Replacement Project from East Main Street to Brian Street; and Project 2001-003 which is West Main Street Watermain Replacement Project from a point approximately 500 feet southeast of Channel Parkway to the Diversion Channel. The cost for the replacement of these projects will be assessed to the benefited property owners. All voted in favor of the motion.

HIRING OF REPLACEMENT FULLTIME POLICE OFFICER:

At this time Christopher Michael Fauskee was sworn in as a Police Officer for the City of Marshall. Upon the recommendation of Director of Public Safety Robert Yant, Stores moved, Reynolds seconded, that Christopher Michael Fauskee be employed as a fulltime Police Officer with the City of Marshall at the rate of \$14.47 effective January 10, 2001. The following resolution was adopted: BE IT RESOLVED that Christopher Michael Fauskee be duly appointed, qualified and acting fulltime 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.

LYON COUNTY VARIANCE REQUEST TO CONTINUE OPERATION OF A TWO-UNIT APARTMENT BUILDING ON LAND ZONED AGRICULTURAL:

Mike Johnson, City Administrator, reviewed the variance request to continue operation of a two-unit apartment building on land zoned agricultural. This land is located north of the Marshall Municipal Airport on the south side of the township road known as West Channel Road. It was the general consensus of the City Council that no action be taken on this item.

INSURANCE ADVISORY COMMITTEE RECOMMENDATIONS:

Per the recommendation of the Insurance Advisory Committee Rowe moved, Reynolds seconded, that the administrative fee with Great West be increased to \$4.00 per month per employee for dental claims. It was indicated that this would be reviewed before next year's renewal. All voted in favor of the motion.

Per the recommendation of the Insurance Advisory Committee Sturrock moved, Reynolds seconded, that the City's Workers Compensation Insurance be renewed with the League of Minnesota Cities Insurance Trust utilizing a \$2,500 deductible which would result in a premium of \$70,466. All voted in favor of the motion.

Per the recommendation of the Insurance Advisory Committee Rowe moved, Doyle seconded, the Accident Plan for Volunteers be renewed with the League of Minnesota Cities Insurance Trust at a premium of \$1,742. All voted in favor of the motion.

APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS:

Per the recommendation of Mayor Bob Byrnes, Doyle moved, Sturrock seconded, that Tracy Veglahn be reappointed to the Library Board for a term to expire on December 31, 2003; that Mike Ziebell be appointed to the Economic Development Authority for a term to expire on May 31, 2004; and that Don Edblom be appointed to the Planning Commission for a term to expire on May 31, 2003. The second position for the Library Board and the position for the Community Services Board was tabled. 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 on Tuesday and it was indicated that the sub committee has approved two more applicants for the Parkway Housing Project; Fire Relief Association will meet on Tuesday; Regional Development Commission will meet on Thursday – Dave Sturrock will represent SSU on this committee.

Stores Library Board met earlier this evening and discussed there strategic plan, the internet use is down, and the Christmas Tree Ornament program was a success.

Sturrock Cable Commission will meet on Tuesday, January 19th and start discussing the Cable TV Franchise renewal process; Utilities Commission will meet next Tuesday.

Boedigheimer Airport Commission met earlier and discussed the schedule for the upcoming projects.


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- Doyle Housing Commission met this evening and elected officers and discussed the parking lot expansion; Human Rights Commission, Convention and Visitors Bureau and Marshall Area Transit will met later this month.
- Rowe Community Services Board met last week – the Winter/Spring brochure has been mailed and sign up will begin soon; and it was indicated that the Adult Education program received a grant.
- Reynolds Downtown Redevelopment Commission met on December 28, 2000; and the Council Personnel Committee will be meeting on January 11, 2001.

COUNCILPERSON INDIVIDUAL ITEMS:


Other items of concern brought forth by the Mayor and Council members included the Christmas Tree Walk being a success; the possibility of enlarging the smoke free area in the City; a speed study being done on Hwy 23 by-pass; and there was a concern with large vehicles parking on East Lyon Street.

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



Mayor of the City of Marshall

ATTEST:



Financial Director/City Clerk

REGULAR MEETING – JANUARY 22, 2001

The regular meeting of the Common Council of the City of Marshall was held on January 22, 2001 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 J. Johnson, City Administrator; Bill Toulouse, Assistant City Attorney; Daniel Sarff, Interim 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 with the addition of item no. 10a, which is the consideration of a resolution accepting a deed to the City of Marshall.

APPROVAL OF THE MINUTES:

Rowe moved, Doyle seconded, that the minutes of the regular meeting held on January 8, 2001 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

APPROVAL OF CONSENT AGENDA: MINNESOTA LAWFUL GAMBLING APPLICATION FOR EXEMPT PERMIT LG220 FOR HOLY REDEEMER CHURCH FOR A RAFFLE TO BE HELD ON FEBRUARY 18, 2001; MINNESOTA LAWFUL GAMBLING APPLICATION FOR EXEMPT PERMIT LG220 FOR HOLY REDEEMER SCHOOL FOR A RAFFLE TO BE HELD ON MARCH 11, 2001; SUBMITTAL OF PAY EQUITY REPORT TO DEPARTMENT OF EMPLOYEE RELATIONS; BILLS/PROJECT PAYMENTS; BUILDING PERMITS:

Stores moved, Reynolds seconded, BE IT RESOLVED, that the proper City personnel be authorized to advise the State of Minnesota Charitable Gambling Control Board that they have approved the Application for Exempt Permit –LG 220 for the Holy Redeemer Church to be used at Carlin Hall, 503 West Lyon Street, Marshall, Minnesota on February 18, 2001 and that the 30 day waiting period be waived. All voted in favor of the motion.

Stores moved, Reynolds seconded, BE IT RESOLVED, that the proper City personnel be authorized to advise the State of Minnesota Charitable Gambling Control Board that they have approved the Application for Exempt Permit –LG 220 for the Holy Redeemer School to be used at Carlin Hall, 503 West Lyon Street, Marshall, Minnesota on March 11, 2001 and that the 30 day waiting period be waived. All voted in favor of the motion.

Stores moved, Reynolds seconded, that the following Consent Agenda items be approved.

That the Pay Equity Implementation Report be submitted to the Department of Employee Relations. The Personnel Committee is recommending that this report be approved with \$0.01/hour adjustments to the four positions of the Deputy City Clerk, Assessing Technician, Secretary and Police Records Clerk. This would make their hourly rate total effective on December 31, 2000 \$15.80/hour versus \$15.79/hour.

That the following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 26944 through 27121.

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

Applicant	Location Address	Description of Work	Valuation
1. George J. Jacob Construction	118 East Saratoga Street	Interior Remodel	\$3,000
2. Ritter's Sanitary Service	914 West Main Street	Partition Wall	\$900
3. Vision Interiors	202 West College Drive	Interior Remodel	\$6,500
4. Paul & Paula Rabaey	700 West Marshall Street	Basement Remodel	\$15,000
5. Sussner Construction, Inc.	800 East Southview Drive	Kitchen Remodeling	\$38,200
6. Bladholm Construction, Inc.	1501 East Lyon Street	Retail Store and Wholesale Business	\$258,000
7. Schaefer Woodworks	1309 East College Drive	Interior Remodel	\$5,000
8. Thor's Handyman Service	308 North Hill Street	Finish Basement	\$20,000

All voted in favor of the motion.

RESOLUTION RECEIVING REPORT AND CALLING FOR HEARING ON IMPROVEMENT:

At this time Dan Sarff, Interim City Engineer, reviewed with the council and others in attendance the meeting the feasibility report for the Watermain Replacement Projects on Rainbow Drive, "H" Street, and West Main Street. Mr. Sarff indicated that 6" watermain is required and that Marshall Municipal Utilities will pay for 50% of the project costs. The remaining 50% will be assessed to the property owners who are serviced by the new watermain. Rowe moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2307, SECOND SERIES and that the reading of the same be waived. Resolution Number 2307, Second Series is a resolution Receiving Report and Calling Hearing on Improvement for Watermain Replacement for the following projects:

Project 2001-001 Rainbow Drive from Madrid Street to a point approximately 650 feet south of Madrid Street.

Project 2001-002 "H" Street from East Main Street to Brian Street

Project 2001-003 West Main Street from a point approximately 500 feet southeast of Channel Parkway to the Diversion Channel.

The public hearing for these projects will be held at the regular city council meeting on February 5, 2001 at 7:30 P.M. All voted in favor of the motion.

RESOLUTION ORDERING PREPARATION OF REPORT ON IMPROVEMENT:

Dan Sarff, Interim City Engineer, reviewed the Storm Sewer Project on South Hill Street and East Marshall Street. Sturrock moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2308, SECOND SERIES and that the reading of the same be waived. Resolution Number 2308, Second Series is a resolution Ordering Preparation of Report on Improvement for the Storm Sewer System for the following project:

Project No. 2001-004 Hill Street from East College Drive to East Marshall Street and on East Marshall Street from Hill Street to the Redwood River.

All voted in favor of the motion.

RESOLUTION APPROVING THE HY-VEE ADDITION REPLAT:

Doyle moved, Stores seconded, the adoption of RESOLUTION NUMBER 2309, SECOND SERIES and that the reading of the same be waived. Resolution Number 2309, Second Series is a resolution Approving the Hy-Vee Addition Replat. This replat provides for the following changes:

Change the size and configuration of Lot 2.

Subdivide Lot 1 into two Lots – Lot 1 and Lot 3.

Incorporate Lot 3 from the original plat into Lots 1 and 2 of the Replat.

All voted in favor of the motion.

CONTRACT FOR ENGINEERING DESIGN SERVICES WITH BOLTON & MENK, INC., FOR SANITARY SEWER AND WATERMAIN PROJECTS:

Mike Johnson, City Administrator, reviewed this contract with the council and he did indicate that this contract provides for professional services with Bolton & Menk, Inc., for the sanitary sewer and watermain extension projects along T.H. 19 (West College Drive) and Lyon County Road 7. The estimated cost of the design services for these projects is \$26,500. It is anticipated that the funding for a portion of this project will come from the State of Minnesota, the City's sanitary sewer fund, Marshall Municipal Utilities and special assessments. Reynolds moved, Rowe seconded, that the proper city personnel be authorized to enter into an agreement with Bolton & Menk, Inc., for Engineering Design Services for Sanitary Sewer and Watermain Projects. All voted in favor of the motion.

CONTRACT FOR SERVICES AND BUILDING LEASE WITH NORTH MEMORIAL HEALTH CARE:

Mike Johnson, City Administrator, reviewed with the council the contract for services and building lease agreement with North Memorial Health Care. Mr. Johnson indicated that Mike Parish and Brennan McAlpin were in attendance at the meeting to respond to any questions in regard to this contract. This contract for services agreement is effective February 1, 2001 and the building lease is effective January 1, 2001. The services agreement provides for the following changes:

1. Section 2: Payment of Equipment – Note the repayment of the equipment and vehicles totaling \$71,500 before March 1, 2001 or the balance payable and due prior to March 1, 2002 at an interest rate of 8%.
2. Section 6: Term – Note the changes in this section that provides for a fixed term of 24 months, with a termination option in the next 36 months with a 360-day notice.

The building lease agreement changes occurred in Section 1: Term and Use, that closely approximate the terms contained in the contract for services. Boedigheimer moved, Doyle seconded, the proper city personnel be authorized to enter into a Contract for Services and Building Lease with North Memorial Health Care. All voted in favor of the motion.

Mike Parish, North Memorial Health Care, took this opportunity to review with the council a letter from the Minnesota Emergency Medical Services Regulatory Board in regard to the two major changes to the way ambulance services may bill under Medicare. He indicated that ambulance services will be required to accept assignment and may no longer balance bill Medicare patients and that a new national Medicare ambulance fee schedule will be phased in over a four-year period. It was indicated that Medicare is a federal program and that states cannot override this.

CHANGE ORDER NO. E-1 FOR THE APPARATUS STORAGE/MAINTENANCE FACILITY FOR THE M.E.R.I.T. CENTER:

Rowe moved, Doyle seconded, the approval of Change Order No. E-1 for Meier Electric, Inc., for the Apparatus Storage/Maintenance Facility for the M.E.R.I.T. Center. This change order provides for a garage door controller, which increased the contract by \$335.00. All voted in favor of the motion.

PROPOSAL FOR CONSTRUCTION TESTING SERVICES FOR THE WWTF EFFLUENT FILTER/SLUDGE STORAGE PROJECT:

Reynolds moved, Stores seconded, that the American Engineering Testing Proposal AET#13-00529 for construction testing services on the Wastewater Treatment Facility Effluent Filter/Sludge Storage Project be accepted. American Engineering Testing Proposal was estimated to be \$9,733.00 but the city will be billed on actual time and materials. All voted in favor of the motion.

PROPOSAL FROM THE BRIMEYER GROUP, INC.:

Mike Johnson, City Administrator, reviewed with the council the proposal from The Brimeyer Group, Inc., to assist the City of Marshall with the recruitment and selection of the Director of Public Works/City Engineer. The fee for this proposal is \$16,000, along with estimated expenses ranging between \$2,500-\$3,000. The proposed schedule assumes a 90-120 day search from the time they are retained until the time that the City Administrator of the City makes an offer for the position. Reynolds moved, Rowe seconded, that the proper city personnel be authorized to enter into an agreement with The Brimeyer Group, Inc., for the recruitment and selection of the Director of Public Works/City Engineer. All voted in favor of the motion.

RESOLUTION ACCEPTING A DEED TO THE CITY OF MARSHALL, MINNESOTA:

Reynolds moved, Sturrock seconded, the adoption of RESOLUTION NUMBER 2310, SECOND SERIES and that the reading of the same be waived. Resolution Number 2310, Second Series is a resolution Accepting a Deed to the City of Marshall Minnesota. This resolution provides for the water retention pond on South 4th Street owned by Paul and Frances Deutz to be transferred to the City of Marshall. It was indicated that the Sanitary Sewer Fee in the amount of \$1,235.00 need to be paid before this transfer would be complete. All voted in favor of the motion.

MAYOR AND COUNCIL MEMBER REPORTS:

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

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| Byrnes | <u>EDA</u> will be meeting on Tuesday, January 23, 2000; <u>Regional Development Commission</u> met last week and Byrnes was not able to attend. |
| Stores | No report. |
| Sturrock | <u>Cable Commission</u> met last month and they have a number of concerns in regard to the Cable Franchise Renewal process; <u>Utilities Commission</u> met on Monday and held a strategic planning session. |

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Boedigheimer Airport Commission and the Ways and Means Committee minutes are included in the agenda packet; Senior Citizen Center Commission and the Lyon County Enterprise Development have not met.

Doyle Housing Commission minutes are included in the agenda packet; Human Rights Commission met earlier in the evening and judged the posters for the Martin Luther King Day Activities; Convention and Visitors Bureau and the Marshall Area Transit have not met.

Rowe No report.

Reynolds No report.

COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Council members included the 3-way stop East of the Mall and South of Best Western being changed to a 4-way stop; the Employee Recognition held last Friday was a success; when the public hearings are held for the watermain projects someone from the Marshall Municipal Utilities should be at the meeting; the League of Minnesota Cities held a conference for new council members; the annual Fire Department party will be held on Saturday and they will be recognizing David Marks for all of his years of service; Mayor Byrnes attended the Martin Luther King Day activities at the Marshall Senior High School; the annual review of Mike Johnson is due; and Mayor Byrnes will not be at the next regular City Council meeting.

REVIEW OF PENDING AGENDA ITEMS:

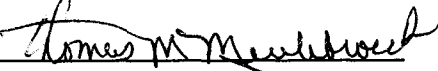
Review of pending agenda items included: interviews for the various Boards and Commissions will be held before the upcoming regular City Council meetings and there will be a Council Retreat on January 29, 2001.

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



Mayor

ATTEST:



Financial Director/City Clerk

REGULAR MEETING – FEBRUARY 5, 2001

The regular meeting of the Common Council of the City of Marshall was held on February 5, 2001 in the Council Chambers of the Marshall Municipal Building. The meeting was called to order at 7:30 P.M. by President Pro Tem Rowe. In addition to Rowe the following members were present: Sturrock, Reynolds, Doyle and Stores. Absent: Mayor Byrnes and Council member Boedigheimer. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Thomas M. Meulebroeck, Finance Director/City Clerk; Jane DeVries, Deputy City Clerk; and Calvin Barnett Director of General Services/City Assessor 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 number 4a, which is a resolution rescheduling public hearing improvement hearing dates for project no. 2001-001, 2001-002, 2001-003; and the addition of item number 12a, which is the setting of a date for the Annual Board of Review.

APPROVAL OF THE MINUTES:

Doyle moved, Reynolds seconded, that the minutes of the regular meeting held on January 22, 2001 be approved as corrected and as filed with each member and that the reading of the same be waived and that the minutes of the special meeting held on January 29, 2001 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: MINNESOTA GAMBLING CONTROL BOARD PREMISES PERMIT APPLICATION LG214-PPR – MARSHALL BASEBALL ASSOCIATION; ENGAGEMENT LETTER WITH LARSON, ALLEN, WEISHAIR & CO., LLP FOR 2000; BILLS/PROJECT PAYMENTS; BUILDING PERMITS:

Reynolds 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 Premises Permit Renewal Application – LG214 for the Marshall Baseball Association to be used at Sam's Place Restaurant, 236 West Main Street, Marshall, Minnesota and at the Rock Bar & Grill, 126 West Main Street, Marshall, Minnesota. All voted in favor of the motion.

Reynolds moved, Stores seconded, that the following Consent Agenda items be approved:

That the appropriate city personnel be authorized to execute the engagement letter with Larson, Allen, Weishair & Co., LLP for 2000 audit services.

That the following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 27122 through 27278.

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

Applicant	Location Address	Description of Work	Valuation
1. Gary Frandson	106 West Thomas Avenue	Sunroom	\$20,000
2. Geske Building & Supply Co.	613 Lawrence Street	Siding & Install Windows	\$18,000
3. Drs. Healy and Kuecker	1300 North Highway 59	Interior Remodeling	\$9,000
4. Nesper Sign Advertising	904 East Main Street	Install Signs	\$7,000
5. Chapparral Properties	122 East Main Street	Window Replacement	\$2,500
6. Bakke's Home Repair & Construction	1206 Evergreen Avenue	Replace Door and Repair Wall	\$800
7. Dulas Construction, Inc.	700 Lawrence Street	Repair Roof	\$1,800
8. True Value Home Center	818 Viking Drive	Basement Remodel	\$8,000
9. George J. Jacob Construction	106 South Hill Street	Enclose Carport	\$1,000

All voted in favor of the motion.

HUMAN RIGHTS COMMISSION POSTER CONTEST PRESENTATION:

John Doyle took this opportunity to introduce three of the members of the Marshall Human Rights Commission: Dwayne Green, Carol Marshall and Dixie Enersen. President Pro Tem Rowe presented awards to the winners of the Human Rights Commission Essay/Poster Contest. The winners were as follows:

ESSAY CONTEST: 8th grade - Kollin Wildeman, Marshall Jr. High, Mrs. Eben
7th grade - Christina Schreimer, Samuel Lutheran, Mr. Festerling.

POSTER CONTEST: 6th grade - Nicole Andries, Parkside, Mrs. Koska
5th grade - Josh Grover, Holy Redeemer, Mrs. Vierstraete
4th grade - Nicole Kor, West Side, Mr. Schauman
3rd grade - Kelsey Deragisch, West Side, Mrs. Dulas
2nd grade - Jessica Carol Anderson, Ease Side, Mrs. Geske
1st grade - Morgan McKitrick, East Side, Mrs. Lamprecht
Kindergarten - Tanner Cirks, Parkside, Mrs. Stefanick

MARSHALL-LYON COUNTY LIBRARY UPDATE:

At this time Richard MacDonald, Director of the Marshall-Lyon County Library, was in attendance at the meeting to provide the council with an update of the activities of the library. He indicated that they have a Winter Reading for Adults Program at this time, the have tax forms available for the public, they have been working on their Strategic Plan, and they are preparing for the Friends of the Library Book Sale.

RECOMMENDATION OF HOSPITAL BOARD ON BIDS FOR CT SCANNING HARDWARE AND SOFTWARE:

Richard Slieter, Weiner Memorial Medical Center Administrator, was in attendance at the meeting to review with the council the bids that were received for the CT Scanning Hardware and Software. Per the recommendation of the WWMC Board, Reynolds moved, Doyle seconded, the bid for the CT Scanning Hardware and Software

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be awarded to Marconi Medical Systems for an amount not to exceed \$499,331. All voted in favor of the motion.

RESOLUTION RESCHEDULING PUBLIC HEARING IMPROVEMENT HEARING DATE:

Stores moved, Sturrock seconded, the adoption of RESOLUTION NUMBER 2311, SECOND SERIES and that the reading of the same be waived. Resolution Number 2311, Second Series is a resolution Rescheduling Public Improvement Date for Project 2001-001 – Rainbow Drive Watermain Replacement Project; Project 2001-002 – “H” Street Watermain Replacement Project; and Project 2001-003 – West Main Street Watermain Replacement Project. This public hearing will be rescheduled for February 20, 2001 at 7:30 P.M. All voted in favor of the motion.

PROJECT 2000-007: COUNTY STATE AID HIGHWAY 33 (ERIE ROAD) WATERMAIN REPLACEMENT PROJECT:

Reynolds moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2312, SECOND SERIES and that the reading of the same be waived. Resolution Number 2312, Second Series is a resolution Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessment for the watermain replacement on County State Aid Highway 33 (Erie Road). 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 cost of this project. All voted in favor of the motion.

Doyle moved, Stores seconded, the adoption of RESOLUTION NUMBER 2313, SECOND SERIES and that the reading of the same be waived. Resolution Number 2313, Second Series is a resolution calling for a hearing on the proposed assessment for the watermain replacement on County State Aid Highway 33 (Erie Road). The public hearing will be held at 7:30 P.M. on Monday, March 5, 2001. All voted in favor of the motion.

TECHNOLOGY PARK SECOND ADDITION:

Doyle moved, Reynolds seconded, the introduction of an ordinance amending Chapter 86 of the City Code of Ordinances Relating to Planned Unit Developments. This ordinance provides for replating of the Technology Park Second Addition. All voted in favor of the motion.

Stores moved, Reynolds seconded, that a public hearing be held on February 20, 2001 at 7:30 P.M. to consider the ordinance Amending Chapter 86 of the City Code of Ordinances Relating to Planned Unit Developments. All voted in favor of the motion.

VACATION OF STOCKHOLM CIRCLE:

Doyle moved, Reynolds seconded, the introduction of an ordinance vacating a City Street in the City of Marshall. This ordinance provides for the vacation of Stockholm Circle, within Block 1, Technology Park Addition. All voted in favor of the motion.

REGULAR MEETING – FEBRUARY 5, 2001

Sturrock moved, Reynolds seconded, that a public hearing be held on February 20, 2001 at 7:30 P.M. to consider the ordinance vacating a City Street in the City of Marshall. All voted in favor of the motion.

VACATION OF UTILITY EASEMENTS – TECHNOLOGY PARK ADDITION:

Reynolds moved, Doyle seconded, the introduction of an ordinance vacating Utility Easements in the City of Marshall. This ordinance provides for the vacating of the existing 10-foot wide utility easement located in Block 1 of the Technology Park Addition. All voted in favor of the motion.

Stores moved, Reynolds seconded, that a public hearing be held on February 20, 2001 at 7:30 P.M. to consider the ordinance vacating a utility easement in Block 1, Technology Park Addition. All voted in favor of the motion.

INTRODUCTION OF ORDINANCE PROVIDING FOR SALE OF REAL ESTATE TO FISHER DEVELOPMENT COMPANY:

At this time Calvin Barnett, Director of General Services/City Assessor, reviewed the offer by Fischer Development to purchase Block 1, Marshall Technology Park Second Addition. Fischer Development would then lease the property to the US Bancorp on the basis of a long-term agreement with options to extend the lease. Mr. Barnett introduced Larry Cackin and David Wright from US Bank; Curt Fisher and Larry Forsythe from Fisher Development; Adrian Hebig from Lyon Financial, US Bank; Mike Rizzo from Lyon Financial; and Mike Krager from Paulson Architects. Following discussion of the proposed plan Stores moved, Sturrock seconded, the introduction of an ordinance Providing for the Sale of Certain City Owned Real Estate Within the City of Marshall. All voted in favor of the motion.

DNR FLOOD HAZARD MITIGATION GRANT AGREEMENT AMENDMENT:

Reynolds moved, Sturrock seconded, that the proper city personnel be authorized to execute the DNR Flood Hazard Mitigation Grant Agreement Amendment. This amendment provides for the Department of Natural Resources authorizing a time extension from December 31, 2000 to December 31, 2001. All voted in favor of the motion.

AUTHORIZATION FOR PRE-COMPLIANCE AUDIT FOR TIF DISTRICTS:

Calvin Barnett, Director of General Services/City Assessor, indicated that the City of Marshall has strictly adhered to what was considered permissible uses and appropriate accounting practices in regard to the Tax Increment Financing. Mr. Barnett indicated that the Office of the State Auditor has determined that some of the TIF uses and accounting practices were inappropriate and did not comply with their current interpretation of the law. Per the recommendation of the City Staff and City's Legal Counsel, Reynolds moved, Sturrock seconded, that the proper city personnel authorize the City's legal counsel and bond counsel to proceed with the pre-compliance audit. All voted in favor of the motion.

CHANGE ORDER M.E.R.I.T. PROJECT FIRE TRAINING TOWER:

Reynolds moved, Stores seconded, the approval of Change Order No. 5 with KHC Construction Inc., for the M.E.R.I.T. Project Fire Training Tower. This change order is in the

REGULAR MEETING – FEBRUARY 5, 2001

amount of \$181.01 and will be used to add two extra repelling bars to the fire tower. All voted in favor of the motion.

SET DATE FOR BOARD OF REVIEW:

Doyle moved, Reynolds seconded, the at the Annual Board of Review be held at 6:00 P.M. on Monday, April 16, 2001 in the City Council Chambers. All voted in favor of the motion.

MAYOR AND COUNCIL MEMBER REPORTS:

Reports by the Mayor and Council members of the various boards and commissions were presented at this time:

Stores Library Board will meet next week.

Sturrock Cable Commission will be meeting on Tuesday and the Utilities Commission will be meeting on February 27, 2001.

Doyle Housing Commission and Convention and Visitors Bureau have not met; Human Rights Commission presentation was held earlier in the meeting; Marshall Area Transit will be meeting later this month.

Rowe Community Services Board will be meeting on Wednesday; the Planning Commission will meet on February 14, 2001, the M.E.R.I.T. Center met last week and the Charter Commission has not met.

Reynolds Hospital Board will be holding a joint meeting with the City Council on February 26, 2001.

COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Council members included the removal of snow and ice on sidewalks being done in a timely manner and that owners and renters should be reminded of this; the lay off of several employees at the Shott Corporation; John Doyle and Mike Johnson had attended the League of Minnesota Cities meeting in St. Paul; and interviews for the boards and commissions need to be scheduled.

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



President Pro Tem

ATTEST:



Financial Director/City Clerk

REGULAR MEETING – FEBRUARY 20, 2001

The regular meeting of the Common Council of the City of Marshall was held on February 20, 2001 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, Sturrock, Reynolds and Stores. Absent: Boedigheimer. Staff present included: Michael Johnson, City Administrator; Dan Sarff, Interim City Engineer; Rob Yant, Director of Public Safety; Jane DeVries, Deputy City Clerk; and Kim Jergenson, Engineer Technician. Arriving late were Harry Weilage, Director of Community Services; and Calvin Barnett, Director of General Services/City Assessor.

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, Doyle seconded, that the minutes of the regular meeting held on February 5, 2001 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 – VACATION OF STOCKHOLM CIRCLE:

This was the date and time set for a public hearing on the vacation of Stockholm Circle. Dan Sarff, Interim City Engineer, reviewed this request with the council. He indicated that Stockholm Circle is a plated street but has no permanent street or utility improvements. He also indicated that it is necessary to vacate all of Stockholm Circle within Block 1 of Technology Park Addition in conjunction with the proposed lot rearrangement. There were no objections, therefore Rowe moved, Doyle seconded, the public hearing be closed. All voted in favor of the motion.

Stores moved, Doyle seconded, the adoption of ORDINANCE NUMBER 447, SECOND SERIES and that the reading of the same be waived. Ordinance Number 447, Second Series is an ordinance Vacating a City Street in the City of Marshall. This ordinance provides for the vacation of all of Stockholm Circle within Block 1, Technology Park Addition. All voted in favor of the motion.

PUBLIC HEARING – VACATION OF UTILITY EASEMENTS IN TECHNOLOGY PARK ADDITION:

This was the date and time set for a public hearing on the vacation of utility easements in Technology Park Addition. Dan Sarff, Interim City Engineer, indicated that this vacation provides for the existing 10-foot wide utility easements along the east side of Lots 2 and 3 and the existing 10-foot wide utility easement between Lots 1 and 2 in conjunction with the proposed lot rearrangement to be vacated. The vacated utility easements will be replaced with a new utility easement on the new final plat. Sturrock moved, Rowe seconded, that the public hearing closed. All voted in favor of the motion.

Reynolds moved, Doyle seconded, the adoption of ORDINANCE NUMBER 448, SECOND SERIES and that the reading of the same be waived. Ordinance Number 448, Second Series is an ordinance Vacating Utility Easements in the City of Marshall. This ordinance provides for the existing 10-foot wide utility easement along the east side of Lots 2 and 3 and the existing 10-foot wide utility easement between Lots 1 and 2, Block 1, Technology Park Addition to be vacated. All voted in favor of the motion.

PUBLIC HEARING – REVISIONS TO TECHNOLOGY PARK PUD:

This was the date and time set for a public hearing on the revisions to Technology Park Planned Unit Development District. Dan Sarff, Interim City Engineer, reviewed the revisions. He indicated that the revisions provide for Lots 1, 2, 3 & 4, Block 1 of Technology Park Addition to be replatted into one lot (Lot 1) and six outlots (Outlots A-F). Each outlot is 20-feet wide and are located along the easterly property line adjacent to the existing unplatted residential properties. Mr. Sarff indicated that this change on the PUD had been previously by the Planning Commission. Rowe moved, Sturrock seconded, that the public hearing be closed. All voted in favor of the motion.

Stores moved, Reynolds seconded, the adoption of ORDINANCE NUMBER 449, SECOND SERIES and that the reading of the same be waived. Ordinance Number 449, Second Series is an ordinance Amending Chapter 86 of the City Code of Ordinances Relating to Planned Unit Developments. This ordinance provides for Lots 1-4, Block 1, Technology Park Addition to be replatted into Lot 1 and Outlots A-F in accordance with Technology Park Second Addition Plat. All voted in favor of the motion.

PUBLIC HEARING – WATERMAIN REPLACEMENT PROJECTS:

This was the date and time set for a public hearing on the Watermain Replacement Projects Project 2001-001, Rainbow Drive; Project 2001-002 "H" Street; and Project 2001-003 West Main Street. Dan Sarff, Interim City Engineer, reviewed these projects with the council and others at the meeting. Mr. Sarff provided handouts to the property owners in attendance that will be affected by these projects. Morrey Chapman, Marshall Municipal Utilities, indicated that the Utilities would be paying for ½ of the costs of each of these projects. It was indicated that there was one lot that was not large enough to build on; therefore there would be not assessment on this property since it would not be connected to the watermain. Reynolds moved, Doyle seconded, that the public hearing be closed. All voted in favor of the motion.

Sturrock moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2314, SECOND SERIES and that the reading of the same be waived. Resolution Number 2314, Second Series is a Resolution Ordering Improvement and Preparation of Plans for Project 2001-001, Rainbow Drive; Project 2001-002 "H" Street; and Project 2001-003 West Main Street. All voted in favor of the motion.

CONSENT AGENDA - REFUSE HAULERS LICENSE RENEWAL FOR RITTER'S SANITARY SERVICE AND CURRY SANITATION; PARADE PERMIT FOR ST. PATRICK'S DAY PARADE; REQUEST FOR TEMPORARY USE STREET R.O.W. BY MARSHALL AREA COMMUNITY CENTER; CONSIDER RESOLUTION FAVORING AUTHORIZATION OF REVENUE FOR YOUTH PROGRAMS IN COMMUNITY EDUCATION; CONSIDER RESOLUTION FOR GANG STRIKE TASK FORCE STAFFING; BILLS/PROJECT PAYMENTS; BUILDING PERMITS:

Rowe moved, Stores seconded, that the following Consent Agenda items be approved:

A Refuse Haulers License renewal for Ritter's Sanitary Service and Curry Sanitation for the period April 1, 2001 through March 31, 2002 at a fee of \$120 each.

A Parade Permit for March 16, 2001 for the 5th 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.

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The temporary use of street right-of-way by the Marshall Area Community Center to use a portion of the City's public right-of-way (sidewalk) during the time period of February 26, 2001 to March 19, 2001. They are intending to set up a temporary sidewalk sign to provide community visibility on the upcoming community campaign. These signs will be rotated to a variety of locations in the downtown business area during the campaign period, and will only be used during business hours.

The adoption of RESOLUTION NUMBER 2315, SECOND SERIES and that the reading of the same be waived. Resolution Number 2315, Second Series is a resolution Authorizing Execution of Agreement with SW Minnesota Gang Strike Force. This grant provides funding for 75% of Commander Jody Gladis' wages for the Gang Strike Force.

That the following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 27279 through 27519.

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

Applicant	Location Address	Description of Work	Valuation
1. Hasslen Construction Company, Inc.	1604 Superior Road	Office Addition and Remodeling	\$4,518,700
2. Sussner Construction, Inc.	115 West College Drive	Interior Remodeling / Food Service Offices	\$1,066,000
3. French Construction	1400 Parkside Drive	Bathroom Remodel	\$2,000
4. Gary Huso	402 South 5th Street	Bathroom Remodel	\$1,500

All voted in favor of the motion.

Harry Weilage, Director of Community Services, reviewed with the council the request for favoring authorization of revenue for Youth Programs in Community Education. Stores moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2316, SECOND SERIES and that the reading of the same be waived. Resolution Number 2316, Second Series is a resolution Favoring Authorization of Revenue for Youth Programs in Community Education. All voted in favor of the motion, except Sturrock who voted no.

SALE OF REAL ESTATE TO FISHER DEVELOPMENT COMPANY:

Doyle moved, Reynolds seconded, the adoption of ORDINANCE NUMBER 450, SECOND SERIES and that the reading of the same be waived. Ordinance Number 450, Second Series is an ordinance Providing for the Sale of Certain City Owned Real Estate within the City of Marshall, Minnesota. This ordinance provides for the sale of Lot 1 and Outlots A-F in Block 1, Technology Park Second Addition to the Fisher Development Company in the amount of \$243,300.00. There was some discussion on the City of Marshall covering the site correction costs up to \$150,000. All voted in favor of the motion.

CONDITIONAL USE PERMIT – 703 EAST COLLEGE DRIVE:

Per the recommendation of the Planning Commission, Rowe moved, Sturrock seconded, the approval of a conditional use permit for Chris Moede and Don Ginder for a Two-Family Dwelling at 703 East College Drive. This permit was approved with the following conditions: 1) This permit

REGULAR MEETING – FEBRUARY 20, 2001

would not be transferable to a new building constructed at this location; and 2) that four (4) off-street parking spaces with side and rear yards of not less than five (5) feet be located behind the building. All voted in favor of the motion.

VARIANCE ADJUSTMENT PERMIT – 208 WEST MARSHALL STREET:

Discussion was held at this time on the request from Christ Evangelical Lutheran Church for a variance adjustment permit for a front yard of 0 feet in lieu of 25 feet on West Marshall Street and North 3rd Street. This variance would allow for the addition of a new entrance and toilets accessible to persons with disabilities. They did consider building on the east side, but in order to do that, they would have to move a house. Dr. Affolter and several members were in attendance at the meeting to answer any questions. Per the recommendation of the Planning Commission Rowe moved, Reynolds seconded, the approval of a variance adjustment permit to construct a church addition at 208 West Marshall Street with a front yard of 0 feet in lieu of 25 feet on West Marshall Street and North 3rd Street, due to the hardship of having to move a house. All voted in favor of the motion.

VARIANCE ADJUSTMENT PERMIT – 1600 WEST COLLEGE DRIVE:

Per the recommendation of the Planning Commission, Rowe moved, Sturrock seconded, the approval of a variance adjustment permit to construct hanger buildings at the Marshall Municipal Airport, 1600 West College Drive, with a front yard of 15 feet in lieu of 35 feet as required for a front yard that abuts a thoroughfare. All voted in favor of the motion.

PRESENTATION BY MARSHALL AREA COMMUNITY CENTER COMMITTEE – AUTHORIZATION TO INITIATE MODIFICATION OF TAX INCREMENT PLAN:

At this time Bob Aufenthie, Chairman; Brian Hoffman and Janet Vandendriessche, Finance Committee Co-Chairs; updated the City Council on the status of the planning and fundraising efforts associated with the proposed Marshall Area Community Center. Janet Vandendriessche indicated that about \$2.5 million had been raised in the campaign for donations of \$25,000 and more; nearly \$400,000 had been raised in donations of \$5,000 to \$25,000 group and that next week they will kick off its public fund-raising campaign.

Calvin Barnett, Director of General Government Services/City Assessor; informed the council that the Marshall Downtown Redevelopment Group and decided to designate \$750,000 toward a possible community center project. This \$750,000 was originally included under a modification plan for the Marshall Tax Increment Plan of 1996. The money will be used for demolition, soil work, and other work related to site development. Reynolds moved, Rowe seconded, that the proper city personnel be authorized to make the modification to the tax increment finance plan in the amount of \$750,000. All voted in favor of the motion.

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

RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND ORDER ADVERTISEMENT FOR BIDS – PROJECT 2000-002:

Dan Sarff, Interim City Engineer, reviewed with the council the plans and specifications for Project 2000-002 which is Trunk Highway (T.H.) 19 and CSAH 7 Utility Extension Project (Airport water/sewer extension project). It was indicated that this project would be financed through the Wastewater Sewer Fund, Marshall Municipal Utilities and State Funds. This project would provide watermain and sanitary sewer to the airport. Sturrock moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2317, SECOND SERIES and that the reading of the same be waived.

REGULAR MEETING – FEBRUARY 20, 2001

Resolution Number 2317, Second Series is a resolution Approving Plans and Specifications and Ordering Advertisement for Bids for Project 2000-002 which is the Trunk Highway (T.H.) 19 and CSAH 7 Utility Extension Project (Airport water/sewer extension project). The bids for this project will be opened at 10:00 A.M. on March 16, 2001 in the Council Chambers of the Marshall Municipal Building. All voted in favor of the motion.

STATUS OF SPECIAL ASSESSMENTS ON TAX-FORFEITED LOT 1, BLOCK 2, DANO ADDITION:

Reynolds moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2318, SECOND SERIES and that the reading of the same be waived. Resolution Number 2318, Second Series is a resolution deleting the special assessments in the amount of \$18,202.06 from Lot 1, Block 2, Dano Addition and for the sale of this parcel of property to Habitat for Humanity in the amount of \$1.00. All voted in favor of the motion.

CABLE TELEVISION FRANCHISE RENEWAL NEEDS ASSESSMENT AND RENEWAL PROCESS:

Rowe moved, Stores seconded, that the City Administrator, Director of Community Services, Council member Dave Sturrock, members of the Cable Commission and other necessary city staff be appointed to review the cable television franchise renewal information and coordinate the renewal process. All voted in favor of the motion.

LEGISLATIVE AND ORDINANCE COMMITTEE - CONSIDER RESOLUTION SUPPORTING MINNESOTA MUNICIPAL BEVERAGE ASSOCIATION; INTRODUCTION OF ORDINANCE AMENDING THE CENTRAL BUSINESS DISTRICT REHABILITATION STANDARDS; CONSIDER RESOLUTION PROVIDING FOR STOP SIGN INSTALLATION AT THE INTERSECTION OF MADRID STREET AND CHANNEL PARKWAY; CONSIDER RESOLUTION PROVIDING FOR STOP SIGN INSTALLATION AT LONDON ROAD AND MADRID STREET; CONSIDER RESOLUTION PROVIDING FOR THE YIELD SIGN INSTALLATION AT THE INTERSECTION OF SUPERIOR ROAD AND ONTARIO ROAD; CONSIDER RESOLUTION PROVIDING FOR SIGNAGE RESTRICTING PARKING ON EAST LYON STREET:

Reynolds moved, Sturrock seconded, that adoption of RESOLUTION NUMBER 2319, SECOND SERIES and that the reading of the same be waived. Resolution Number 2319, Second Series is a Resolution Opposing the Concept of Allowing Wine to be sold, for off Premise Consumption at any Outlet other than the Municipal Liquor Store. All voted in favor of the motion.

Reynolds moved, Sturrock seconded, the introduction of an ordinance Amending a Section 1, Subd. 8.C of the business District Rehabilitation Standards for the City of Marshall. This ordinance would provide for a change in the Wall Signage. All voted in favor of the motion.

Reynolds moved, Sturrock seconded, the adoption of RESOLUTION NUMBER 2320, SECOND SERIES and that the reading of the same be waived. Resolution Number 2320, 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 Madrid Street at the intersection of Madrid Street and Channel Parkway. All voted in favor of the motion.

Reynolds moved, Sturrock seconded, the adoption of RESOLUTION NUMBER 2321, SECOND SERIES and that the reading of the same be waived. Resolution Number 2321, 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 southbound leg of London Road at the intersection of London Road and Madrid Street. All voted in favor of the motion.

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Reynolds moved, Sturrock seconded, the adoption of RESOLUTION NUMBER 2322, SECOND SERIES and that the reading of the same be waived. Resolution Number 2322, Second Series is a Resolution Providing for Control Signage in the City of Marshall. This resolution provides for the installation of a "Yield Sign" in the existing island on the westbound leg of Ontario Road at the intersection of Ontario Road and Superior Road. All voted in favor of the motion.

Reynolds moved, Sturrock seconded, the adoption of RESOLUTION NUMBER 2323, SECOND SERIES and that the reading of the same be waived. Resolution Number 2323, Second Series is a Resolution Providing for Control Signage in the City of Marshall. This resolution provides for the installation of "No Parking" signs on the north side of East Lyon Street from a point 246 feet east of the east line of Jewett Street to the west line of Sherman Avenue. All voted in favor of the motion.

APPOINTMENT TO VARIOUS BOARDS AND COMMISSIONS:

Doyle moved, Reynolds seconded, that the following appointments be made to the various boards and commissions: Kristi Huss to the Community Services Advisory Board for a term to expire on February 28, 2004; Pam Sukalski to the Library Board for a term to expire on December 31, 2003; Donata DeBruyckere to the Human Rights Commission for a term to expire on May 31, 2003; and Lynn Halverson to the Cable Commission for a term to expire on May 31, 2002. All voted in favor of the motion.

MAYOR AND COUNCIL MEMBERS REPORTS:

Reports by the Mayor and Council members of the various boards and commissions were presented at this time:

- | | |
|----------|--|
| Byrnes | <u>EDA</u> met this past week – they have 5 purchase agreements signed for the Parkway Housing Project; <u>Regional Development Commission</u> discussed the status of the Prairie Expo opening. |
| Stores | <u>Library Board</u> met on Monday, the Children's Library was closed last week for new carpet. |
| Sturrock | <u>Cable Commission</u> met on the 6 th , but was not able to attend; <u>Utilities Commission</u> will meet next Tuesday. |
| Doyle | <u>Housing Commission</u> minutes are included in the agenda packet; <u>Human Rights Commission, Convention & Visitors Bureau and Marshall Area Transit</u> will meet later this month. |
| Rowe | <u>Community Services Advisory Board</u> indicated that there will be a National Softball Tournament held in Marshall over Labor Day Weekend, they discussed the possibility of having ice through June or opening in September; <u>Planning Commission</u> items were discussed earlier, they are changing their meeting time to an earlier time. |
| Reynolds | <u>Hospital Board</u> will be holding a joint meeting with the City Council at 5:00 P.M. on February 26, 2001. |

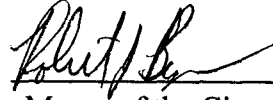
COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Council members included: the potholes that need to be repaired; there is a concern with the amount of snow and parking along the side of Redwood Street between 4th Street and College Drive; the Essay Contest put on by the Human Rights Commission was a great success; Stores attended the League of Cities Program for new council members; the trimming of trees on Main Street needs to be done; and the evaluation of the City Administrator needs to be completed.

REGULAR MEETING – FEBRUARY 20, 2001

On March 2, 2001 there will be a House Tax Sub Committee in the Council Chambers from 12:00 to 1:30 P.M.

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



Mayor of the City of Marshall

ATTEST:



Finance Director/City Clerk

SPECIAL MEETING – FEBRUARY 26, 2001

A Special Joint meeting of the Common Council of the City of Marshall and the Weiner Memorial Medical Center Hospital Board at the Medical Center was held on February 26, 2001. The meeting was called to order by WMMC Board Member Joe Cool. In attendance at the meeting were the Mayor Bob Byrnes, Council members Rowe, Doyle, Sturrock, Reynolds and Stores. Absent: Boedigheimer. Staff present included: Jane DeVries, Deputy City Clerk. The members of Hospital Board and Hospital Staff in attendance is reflected in the minutes of the Weiner Memorial Medical Center Board of Directors.

The two boards and their staffs had dinner prior to the meeting starting.

2000 WMMC AUDIT:

Dan Vandenberghe from McGladrey & Pullen reviewed with the City Council and the WMMC Board of Directors an overview of the 2000 audit. Summaries of the audit had been provided to all the members present.

WMMC REVIEW:

Dick Sleiter, CEO Weiner Memorial Medical Center, briefly reviewed the following items with the council and board members:

- A. Industry Trends
- B. Unique Challenges
- C. Financial Performance 2001 YTD
- D. Strategic Plans
- E. Update on Construction Project and Leased Space

CITY OF MARSHALL:

Council member Rowe questioned WMMC smoking policy. It was suggested that the entire campus be smoke free.

A committee was set up to discuss the Payment in Lieu of Taxes that Weiner Memorial Medical Center pays to the City of Marshall. Randy Serreyn and Pat Mellentin will represent the WMMC Board.

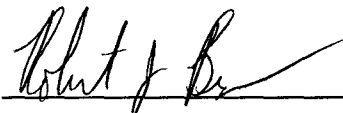
OTHERS ITEMS OF INTEREST:

The possibility of someone from outside the city limits being authorized to serve on the Weiner Memorial Medical Center Board was discussed.

Mayor Byrnes thanked the Hospital Board members for inviting the City Council to partake in dinner and the general discussion of issues impacting the Hospital operations.


There was a tour given after the meeting for anyone interested in staying.

The meeting was adjourned at 7:45 P.M.



Mayor of the City of Marshall

ATTEST:



Deputy City Clerk

REGULAR MEETING – MARCH 5, 2001

The regular meeting of the Common Council of the City of Marshall was held on March 5, 2001 in the Council Chambers of the Marshall Municipal Building. The meeting was called to order at 7:32 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Doyle, Rowe, Sturrock, Reynolds and Stores. Absent: Boedigheimer. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Dan Sarff, Interim City Engineer; Marc Klaith, 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:

Reynolds moved, Doyle seconded, that the minutes of the regular meeting held on February 20, 2001 and the special meeting held on February 26, 2001 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 – PROJECT 2000-007, COUNTY STATE AID HIGHWAY 33:

This was the date and time set for a public hearing on the proposed assessment for watermain replacement on County State Aid Highway 33, Project 2000-007. Dan Sarff, Interim City Engineer, reviewed this project with the council and others in attendance. There were no concerns or objections, therefore Rowe moved, Sturrock, seconded, the public hearing be closed. All voted in favor of the motion.

Rowe moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2324, SECOND SERIES and that the reading of the same be waived. Resolution Number 2324, Second Series is a resolution Adopting an Assessment for watermain replacement on County State Aid Highway 33, Project 2000-007. This resolution provides for the assessment to be paid in equal annual installments over 8 years at a rate of 8% per annum effective October 15, 2001. All voted in favor of the motion.

CONSENT AGENDA - APPLICATION AND PERMIT FOR TEMPORARY ON-SALE LIQUOR LICENSE - PHEASANTS FOREVER; MINNESOTA LAWFUL GAMBLING APPLICATION FOR EXEMPT PERMIT-LG220 FOR THE SOUTHWEST GREAT DIVIDE ROCKY MOUNT ELK FOUNDATION; CONSIDER APPLICATIONS FOR RENEWAL OF PLUMBERS LICENSES FOR 2001-2002; BILLS/PROJECT PAYMENTS; BUILDING PERMITS:

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 Southwest Great Divide Rocky Mountain Elk Foundation for a raffle to be held at the Best Western/Marshall Inn on April 7, 2001 and that the 30 day waiting period be waived. All voted in favor of the motion.

Doyle moved, Stores seconded, that the following consent agenda items be approved:

A temporary on-sale liquor license for Lyon County Pheasants Forever to be used on March 29, 2001 at Southwest State University.

The renewal of the Plumbers License for the period April 1, 2001 to March 31, 2002 at a fee of \$50.00.

- 1) Joseph Mortier DBA **Bisbee Plumbing & Heating**
- 2) Robert Vanderlinden DBA **Countryside Plumbing**

REGULAR MEETING – MARCH 5, 2001

- 3) Ed Duthoy DBA **Ed's Plumbing & Heating**
- 4) Glenn Larson DBA **Enviro Pump Plus**
- 5) Ron Sussner DBA **Frank's Electric, Plumbing & Heating**
- 6) Gary Hansen DBA **G.H. Plumbing & Heating**
- 7) Gary Smidt DBA **Gary's Plumbing & Heating**
- 8) Ken Holm DBA **Heartland Mechanical**
- 9) John Holm DBA **Holm Brother's Plumbing & Heating**
- 10) John Jenniges DBA **Jenniges Plumbing & Heating**
- 11) Tony McChensey DBA **McChensey Mechanical**
- 12) Mike Paulson DBA **Mike's Plumbing & Heating**
- 13) Neil Kroger DBA **Neil's Plumbing & Heating**
- 14) Kenneth Grindeland DBA **Olson Hardware Corp.**
- 15) Dick Winter - **Schwan's Sales Enterprises**
- 16) Mike Orthaus DBA **Tri-State Mechanical**
- 17) Vernon Goslar DBA **Trio Plumbing & Heating**
- 18) Scott Wood DBA **Wood's Plumbing & Heating**

The following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 27520 through 27689.

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.	Todd Ellis	104 James Avenue	Basement Remodel	\$5,000
2.	North Star Modular Homes	221 Rainbow Drive	Pre-Built Dwelling	\$35,000
3.	North Star Modular Homes	222 Rainbow Drive	Pre-Built Dwelling	\$35,000
4.	North Star Modular Homes	225 Rainbow Drive	Pre-Built Dwelling	\$35,000
5.	Bladholm Construction, Inc.	202 Jewett Street	Office Addition and Remodeling	\$185,000
6.	Lyon County	521 Fairgrounds Road	Demolish Food Stand	\$0
7.	Lyon County	523 Fairgrounds Road	Demolish Food Stand	\$0
8.	Janet Slagel	303 East Redwood Street	Bathroom Remodel	\$5,000
9.	Jeffrey DeSmet	415 North 5th Street	Demolish Garage	\$0

ORDINANCE AMENDING THE CENTRAL BUSINESS DISTRICT REHABILITATION STANDARDS:

Rowe moved, Reynolds seconded, the adoption of ORDINANCE NUMBER 451, SECOND SERIES and that the reading of the same be waived. Ordinance Number 451, Second Series is an ordinance Amending a Section of the Central Business District Rehabilitation Standards for the City of Marshall, Minnesota. This ordinance amends Ordinance Number 439, Second Series, Section 1, Subd. 8C. All voted in favor of the motion.

APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS – PROJECT 2001-001; PROJECT 2001-002; PROJECT 2001-003:

Dan Sarff, Interim City Engineer, reviewed with the council and others in attendance, the plans and specifications for the watermain replacement projects on Rainbow Drive, Project 2001-001; "H" Street, Project 2001-02; and West Main Street, Project 2001-003. Stores moved, Sturrock seconded, the adoption of RESOLUTION NUMBER 2325, SECOND SERIES and that the reading of the same be waived. Resolution Number 2325, Second Series is a resolution Approving Plans and Specifications

REGULAR MEETING – MARCH 5, 2001

and Ordering Advertisement for Bids for the watermain replacement projects on Rainbow Drive, Project 2001-001; "H" Street, Project 2001-002; and West Main Street, Project 2001-003. Bids for these projects will be received on April 6, 2001. All voted in favor of the motion.

FINAL DEVELOPMENT PLAN FOR US BANK BUILDING:

Dan Sarff, Interim City Engineer, reviewed the final development plan for the US Bank Building proposed for construction in the Technology Park Addition. The building will be owned by Fisher Development of Mankato, Minnesota and leased to US Bank. Representatives from Fisher Development, US Bank and Paulson Architects were in attendance at the meeting to answer any questions. Mr. Sarff indicated that the Industrial Park Design Review Committee had met with representatives from Fisher Development, US Bank and Paulson Architects. This committee determined that the Final Development Plan for the US Bank Service Center was in conformance, but recommended one change in regard to the sidewalk along the south side to be moved to the City right-of-way on the north side of Madrid Street. Rowe moved, Sturrock seconded, the adoption of RESOLUTION NUMBER 2326, SECOND SERIES and that the reading of the same be waived. Resolution Number 2326, Second Series is a resolution Approving the Final Development Plan for the US Bank Service Center Building. All voted in favor of the motion.

RESOLUTION APPROVING TECHNOLOGY PARK SECOND ADDITION:

Reynolds moved, Stores seconded, the adoption of RESOLUTION NUMBER 2327, SECOND SERIES and that the reading of the same be waived. Resolution Number 2327, Second Series is a resolution Approving the Final Plat for Technology Park Second Addition. All voted in favor of the motion.

ANNUAL FINANCIAL REPORT FOR NORTH AMBULANCE:

At this time Brennan (Buck) McAlpin was in attendance at the meeting and briefly reviewed the annual financial report for the North Ambulance Service. It was indicated that North Ambulance has paid \$71,500, which is in full payment for the equipment acquired from the City of Marshall and in full settlement of any claim the City may have under the Original Contract. This money is to be earmarked for items other than General Fund.

CHANGE ORDERS FOR APPARATUS STORAGE/MAINTENANCE FACILITY FOR M.E.R.I.T.:

Doyle moved, Rowe seconded, the approval of Change Orders G-3, General Contractor; M-2, Mechanical Contractor; and E-2, Electrical Contractor; for the Apparatus Storage/Maintenance Facility at the M.E.R.I.T. Center. These change orders provide for a contract extension for construction by 28 calendar days. The proposed new substantial completion date is recommended to be revised to March 3, 2001. All voted in favor of the motion.

AUTHORIZING ACQUISITION OF CERTAIN LANDS FOR MUNICIPAL PARK:

Sturrock moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2328, SECOND SERIES and that the reading of the same be waived. Resolution Number 2328, Second Series is a resolution Determining the Necessity of a Park Project and Authorizing Acquisition of Certain Lands and Interests Therein for Purpose of a Municipal Park. All voted in favor of the motion.

APPROVAL OF SALE OF FORFEITED VEHICLE:

Stores moved, Reynolds seconded, the proper city official transfer the 1999 Chevrolet Tahoe to Neil Sullivan for the sum of \$23,000. The net proceeds to the City of Marshall for this sale is \$15,182.50 and is to be used for DWI related offenses, training and education. There will be a recommendation for these funds at a later date. All voted in favor of the motion.

AGREEMENTS WITH TOWNSHIPS FOR FIRE PROTECTION SERVICES:

At this time Marc Klaith, Fire Chief, reviewed with the council the agreements with the surrounding townships for fire protection services for 2001-2002 and 2002-2003. Mr. Klaith indicated that these agreements provide for a \$5.00 per section per year increase and that the fire call fee is being increased from \$250 per call to \$500 per call. Mr. Klaith indicated that the only time the fire department charges for fire calls to property owners within the City of Marshall is for the ladder truck or the jaws of life. The fee for these two items is \$500. Doyle moved, Reynolds seconded, the approval of the Agreements with Townships for Fire Protection Services for 2001-002 at a rate of \$140.00 per section and 2002-2003 at a rate of \$145.00 per section. All voted in favor of the motion.

MAYOR AND COUNCIL MEMBERS REPORTS:

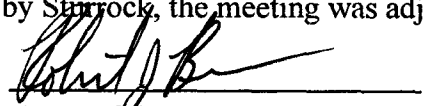
Reports by the Mayor and Council members of the various boards and commissions were presented at this time:

- Byrnes EDA will be meeting this week and the Regional Development Commission will meet on Thursday.
- Stores Library Board will meet next Monday.
- Sturrock Cable Commission will meet next Tuesday.
- Boedigheimer Mike Johnson reported on the Airport Commission – Group II will complete plans for the hangar projects in March, the water and sewer extension project is in the process of being bid, they are working with MN/DOT on the funding; and TKDA is working on plans.
- Doyle Human Rights Commission minutes are included in the agenda packet; EDA will be having a display at the Home Show this weekend at the mall.
- Rowe Community Services Advisory Board will be meeting on Wednesday.
- Reynolds Hospital Board met last week, they also had a joint meeting with the City Council to review their audit.

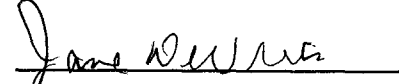
COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Council members included: a concern about the number of accidents on Hwy 23 and Saratoga – MN/DOT will be invited to a Public Improvement Transportation Committee meeting to discuss this issue; the Library will be holding their annual book sale this week; there is a tax hearing in the Council Chambers on Friday, March 5, 2001; the St. Patrick Day Parade will be held on March 16, 2001 starting at 5:30 P.M.

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


Mayor of the City of Marshall

ATTEST:


Deputy City Clerk

REGULAR MEETING – MARCH 19, 2001

The regular meeting of the Common Council of the City of Marshall was held on March 19, 2001 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 and Boedigheimer. Absent: Stores. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Thomas Meulebroeck, Finance Director/City Clerk; Dan Sarff, Interim 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.

APPROVAL OF THE MINUTES:

Doyle moved, Rowe seconded, that the minutes of the regular meeting held on March 5, 2001 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.

CONSENT AGENDA - RENEWAL OF CONSUMPTION AND DISPLAY LICENSES – J. & WINK DBA DAILY GRIND, SOUTHWEST STATE UNIVERSITY AND VFW POST 742; CONSIDER APPLICATIONS FOR RENEWAL OF PLUMBERS LICENSES FOR 2001-2002; CONSIDER APPLICATION FOR EXEMPT PERMIT FOR THE MARSHALL JAYCEES; CONSIDER RENEWAL OF FARM LEASE OF PAUL DEUTZ; BILLS/PROJECT PAYMENTS; BUILDING PERMITS:

Reynolds moved, Rowe seconded, BE IT RESOLVED, that the proper City personnel be authorized to advise the State of Minnesota Charitable Gambling Control Board that they have approved the Application for Exempt Permit –LG 220 for the Marshall Jaycees to be used at Legion Field, Marshall, Minnesota on Saturday, June 9, 2001. All voted in favor of the motion.

Reynolds moved, Rowe seconded, that the following consent items be approved:

The renewal of the Consumption and Display Licenses for the period April 1, 2001 to March 31, 2002 at a fee of \$100:

1. J. & Wink dba Daily Grind
2. Southwest State University
3. VFW Post 742;

The renewal of the Plumbers Licenses for the period April 1, 2001 to March 31, 2002 at a fee of \$50.00:

1. John Bretzman dba Crosstown Plumbing & Heating
2. Rodney Bruflat dba Bruflat Plumbing & Heating
3. Mike Lund dba Mike's Plumbing & Heating
4. Dallas Sanderson dba Sanderson Mechanical
5. Kyle Ryer dba Ryer Plumbing & Heating;

The renewal of a farm lease with Paul Deutz for the 14 acres of farmland in the SE 1.4 of Section 34 for the crop year 2001 at a fee of \$450.00.

REGULAR MEETING – MARCH 19, 2001

The following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 27690 through 27911. 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. John Volker	400 North Minnesota Street	Remodel Family Room	\$10,000
2. LeRoy & Ellayne Conyers	111 South High Street	Interior Remodel	\$18,000
3. D&G Excavating	1217 East College Drive	Demolish Repair Shop	\$0
4. Michael Mote	1119 Skyline Drive	Finish Basement	\$1,900
5. Geske Building & Supply Co.	509 Charles Avenue	Reside Dwelling	\$9,000
6. Minnesota Corn Processors	400 West Erie Road	Tank Foundation	\$120,000
7. Mister Cool's Clothing	337 West Main Street	Remodel & Awning	\$18,300
8. Alwood Builders, Inc.	212 West Main Street	Reroof & Replace Windows	\$19,900
9. Greig & Gregerson	117 North 3rd Street	Reroof, Replace Windows & Install Alarm System	\$19,300
10. Greig & Gregerson	313 West Main Street	Reroof & Install Windows	\$14,900
11. Greig & Gregerson	118 North 3rd Street	Reroof	\$17,600
12. Greig & Gregerson	430 West Main Street	Reroof & Install Windows	\$13,500
13. Greig & Gregerson	256 West Main Street	Interior Remodel & Reroof	\$25,600
14. Greig & Gregerson	122 North 3rd Street	Interior Remodel, Reroof & Replace Windows	\$17,800

REDEVELOPMENT PROJECT NO. 2:

Rowe moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2329, SECOND SERIES and that the reading of the same be waived. Resolution Number 2329, Second Series is a resolution calling for a public hearing on the proposed modification by the Housing and Redevelopment Authority in and for the City of Marshall of the Modified Redevelopment Plan for Redevelopment Project No. 1 and the modification of the TIF Plans of the TIF Districts located therein and the Modified Redevelopment Plan for Redevelopment Project No. 2 and the modification of the TIF Plans of the TIF Districts located therein. This resolution provides for a public hearing to be held at 7:30 P.M. on April 30, 2001. All voted in favor of the motion.

PROJECT 2000-002 AIRPORT WATER/SEWER EXTENSION PROJECT:

Bids were received on March 16, 2001 for Project 2000-002 – Trunk Highway (T.H.) 19 and CSAH 7 Utility Extension Project (Airport Water/Sewer Extension Project). The bids received, opened and read were as follows:

GM Contracting, Inc.
Lake Crystal, Minnesota
\$498,414.40

Duininck Bros., Inc.
Pringsburg, Minnesota
\$643,690.99

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H & W Contracting, LLC
Sioux Falls, South Dakota
\$660,824.85

Winter Bros. Underground
Sioux Falls, South Dakota
\$869,900.00

Mr. Sarff, Interim City Engineer, reviewed the project with the council and others in attendance. He indicated that the engineer's estimate for this project is \$572,242.00 and they are concerned that the low bid may not be accurate and include everything. Mr. Sarff is recommending that the action on this project be tabled until April 2, 2001. It was indicated that if the low bidder is unable to proceed with this project the council could cash their bid bond and award the contract to the next lowest bidder. Boedigheimer moved, Doyle seconded, that this project be postponed until the regular city council meeting to be held on April 2, 2001. All voted in favor of the motion.

PROJECT 2001-004 HILL STREET/EAST MARSHALL STREET STORM SEWER PROJECT:

Dan Sarff, Interim City Engineer, reviewed with the City Council Project 2001-004 Hill Street/East Marshall Street Storm Sewer Project. Mr. Sarff is recommending that this project be tabled until the April 2, 2001 council meeting. Rowe moved, Boedigheimer seconded, that Project 2001-004 be tabled until the regular city council meeting to be held on April 2, 2001. All voted in favor of the motion.

MINNESOTA STATE TRANSPORTATION FUNDS (BOND FUNDS) FOR NORTH 7TH STREET BRIDGE AND KOSSUTH AVENUE BRIDGE:

Rowe moved, Sturrock seconded, the adoption of RESOLUTION NUMBER 2330, SECOND SERIES and that the reading of the same be waived. Resolution Number 2330, Second Series is a resolution Requesting Minnesota State Transportation Funds (Bond Funds) and Commitment to Proceed. This resolution establishes the North 7th Street Bridge and the Kossuth Avenue Bridge as priorities for replacement and requests bridge bonding funds. The bridge on Kossuth is a box culvert and the North 7th bridge is a concrete bridge. All voted in favor of the motion.

AIRPORT IMPROVEMENT PROJECT:

Mike Johnson, City Administrator, reviewed the Airport Improvement Projects, which consists of Hangar No. 1 for Schwan's Sales Enterprises Inc., and Hangar No. 2 for Midwest Aviation. Hangar No. 1 would be paid for by Schwan's and leased back to them for a period of years to be determined in a forthcoming lease agreement. Doyle moved, Reynolds seconded, that the proper city personnel be authorized to advertise for bids for Hangar no. 1 for Schwans and that the bid bond be at least 10% of the bid. These bids are to be received on April 19, 2001. Hangar No. 2 would be owned by the City of Marshall and leased back to Midwest Aviation. Boedigheimer moved, Reynolds seconded, that the proper city personnel be authorized to advertise for bids for Hangar No. 2 for Midwest Aviation and that the bid bond be at least 10% of the bid. All voted in favor of the motion.

Sturrock moved, Doyle seconded, the proper city personnel be authorized to enter into an agreement with the Architect Hay-Dobbs P.A. for architectural services for the arrival/departure building project at the Marshall Municipal Airport. All voted in favor of the motion.

Rowe moved, Reynolds seconded, the approval of Amendments to Group II Architects P.A. for the contracts for Hangar No. 1, Schwan's; and Hangar No. 2, Midwest Aviation. These amendments provide for additional architectural/engineering time to revise the drawings. This supplemental service is to be billed on an hourly rate basis. All voted in favor of the motion.

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Doyle moved, Reynolds seconded, the proper city personnel be authorized to enter into an agreement with Toltz, King, Duva, Anderson & Associates, Inc., (TKDA) for civil design of 2001 terminal area development project. All voted in favor of the motion.

The council took this opportunity to thank the city staff and airport commission for all of their hard work on the airport projects.

TELEPHONE SYSTEM WITH VOICE MAIL:

Sturrock moved, Reynolds seconded, the proper city personnel be authorized to advertise for a telephone system with voice mail. The bids are to be received by April 11, 2001. All voted in favor of the motion.

MAYOR AND COUNCIL MEMBERS REPORTS:

Reports by the Mayor and Council members of the various boards and commissions were presented at this time:

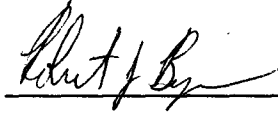
- Byrnes EDA continues to work on the Parkway Housing Project – they had a booth set up at the home show and received a lot of interest, the street improvements for this project should be completed in July, 2001; Fire Relief Association has not met; Regional Development Commission will be meeting within the next week.
- Sturrock Cable Commission minutes are included in the agenda packet; Utilities Commission will be meeting on Tuesday.
- Boedigheimer Airport Commission minutes are included in the agenda packet; Senior Citizen Commission has not met; Lyon County Enterprise Development will be meeting on March 27, 2001.
- Doyle Housing Commission minutes are included in the agenda packet; Human Rights Commission, Convention and Visitors Bureau and Marshall Area Transit have not met.
- Rowe Community Services Advisory Board continues to work on their strategic plan.
- Reynolds Hospital Board met earlier this evening; Council Personnel Committee discussed profile changes and the mileage reimbursement rate.

COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Council members included: the purchasing of a new street sweeper is part of this year budget; the Marshall Girls Basketball team took first place at the State Tournament; the Street Department needs to work on filling the pot holes; a letter has been sent to MN/DOT in regard to safety concerns at the intersection of Hwy 23 and Saratoga Street; St. Patrick Day Parade was held last Friday; there will be a stadium presentation at Parkside; street signs are not to be used as a place to put home business advertisement; the redistricting of Ward boundaries needs to be completed by April 30, 2002 or within 60 days after the state approves the plan; there will be a special meeting prior to the next regular city council for the annual review of the City Administrator; Wastewater department needs to be reminding the general public of the sump pump regulations; and the city has received a letter from the Post Office indicating that the construction of a new facility has been put on hold.

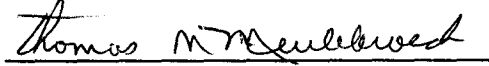
REGULAR MEETING – MARCH 19, 2001

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

A handwritten signature in cursive script, appearing to read "R. Sturrock", is written over a horizontal line.

Mayor

ATTEST:

A handwritten signature in cursive script, appearing to read "Thomas M. McElders", is written over a horizontal line.

Financial Director/City Clerk

REGULAR MEETING – APRIL 2, 2001

The regular meeting of the Common Council of the City of Marshall was held on April 2, 2001 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, Sturrock, Reynolds, Boedigheimer and Stores. Absent: none. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Rob Yant, Director of Public Safety; Marc Klaith, Fire Chief; Dan Sarff, Interim City Engineer; 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 number 16b, which is the setting of the administrator's salary for 2001.

APPROVAL OF THE MINUTES:

Rowe moved, Doyle seconded, that the minutes of the regular meeting held on March 19, 2001 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.

CONSENT AGENDA - CONSIDERATION OF TEMPORARY ON-SALE NON-INTOXICATING BEER LICENSE FOR THE MARSHALL BASEBALL ASSOCIATION; BILLS/PROJECT PAYMENTS; BUILDING PERMITS:

Reynolds moved, Sturrock seconded, and it was unanimously approved that the following consent items be approved:

A 4-month temporary on-sale non-intoxicating beer license for the Marshall Baseball Association for the period April 15, 2001 through August 15, 2001 at a fee of \$100.00.

The following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 27912 through 28096.

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

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

	Applicant	Location Address	Description of Work	Valuation
1.	Robert M. & Dianne L. Cool	356 West Main Street	Reroof	\$20,700
2.	ABC Seamless of Redwood Falls	312 Lawrence Street	Reside Dwelling	\$4,500
3.	True Value Home Center	1103 David Drive	Dwelling	\$185,000
4.	Timmy R. Swenson	810 DeSchepper Street	Dwelling	\$186,000
5.	Denny Miller Construcion	812 East Southview Court	Addition	\$9,300
6.	Geske Building & Supply Co.	901 North 5th Street	Install Window	\$3,000
7.	Geske Building & Supply Co.	904 Cheryl Avenue	Reside Dwelling	\$7,500

8. Village Park of Marshall, LLC	220 Ash Drive	Manufactured Home Installation	
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PROJECT 2000-002: TRUNK HIGHWAY (T.H.) 19 AND CSAH 7 UTILITY EXTENSION:

Dan Sarff, Interim City Engineer, reviewed with the council and others in attendance this project. It was indicated that GM Contracting would be entering into a contract with the City for the proposed improvements. Mr. Sarff also reviewed the different funding options as it relates to the City's participation and special assessments. He reviewed MMU participation at 50% or at 75% on the watermain project and the Wastewater fund participation at 50% or at 75% for the sanitary sewer project.

Sturrock moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2331, SECOND SERIES and that the reading of the same be waived. Resolution Number 2331, Second Series is a resolution Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessment for project 2000-002 Trunk Highway (T.H.) 19 and CSAH 7 Utility Extension. 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, Doyle seconded, the adoption of RESOLUTION NUMBER 2332, SECOND SERIES and that the reading of the same be waived. Resolution Number 2332, Second Series is a resolution Calling for Hearing on Proposed Assessment for project 2000-002 Trunk Highway (T.H.) 19 and CSAH 7 Utility Extension. This public hearing will be held at 7:30 P.M. on Monday, April 23, 2001 in the Council Chambers. All voted in favor of the motion.

PROJECT 2001-004: HILL STREET/MARSHALL STREET STORM SEWER:

Dan Sarff reviewed with the council and others in attendance the storm sewer project for Hill Street and East Marshall Street. It was indicated that the storm sewer in this area is not adequate due to more hard surfaced area and deterioration of current system. Don Edblom, 410 South Hill Street, questioned why Holy Redeemer School was not included in the storm sewer area. Mr. Sarff indicated that he would review this. Stores moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2333, SECOND SERIES and that the reading of the same be waived. Resolution Number 2333, Second Series is a resolution Receiving Report and Call for Hearing on Improvement. This is for Project 2001-004, which is storm sewer on Hill Street from East College Drive to East Marshall Street and on East Marshall Street from Hill Street to the Redwood River. The public hearing will be held at 7:30 P.M. on Monday, April 16, 2001. All voted in favor of the motion.

STREET DEPARTMENT TO ADVERTISE FOR TRUCK CHASSIS BIDS AND REQUEST QUOTES FOR DUMP BODY AND HYDRAULIC PACKAGE:

Doyle moved, Rowe seconded, that the proper city personnel be authorized to advertise for bids for a 29,000 G.V.W. Truck Chassis and to receive quotes for the hydraulics and box relevant to the truck for the Street Department. Councilperson Boedigheimer requested that the bids include a trade-in and also the option to purchase without a trade-in vehicle. All voted in favor of the motion.

AUTHORIZATION TO PURCHASE STREET SWEEPER AND DEVELOP LEASE PURCHASE AGREEMENT WITH FEDERAL SIGNAL LEASING:

Boedigheimer moved, Sturrock seconded, that the proper city personnel be authorized to purchase a street sweeper from MacQueen Equipment, Inc., off the Minnesota State Equipment Contract. The purchase price is \$80,931.86, which includes the trade in of the 1994 Elgin sweeper and the necessary options. Only \$25,000 was included in the City's capital equipment budget for 2001,

REGULAR MEETING – APRIL 2, 2001

therefore the remaining amount of \$55,931.86 will be financed through Federal Signal Leasing. All voted in favor of the motion.

REQUEST OF MARSHALL FIRE DEPARTMENT TO APPLY FOR A GRANT:

Stores moved, Sturrock seconded, that the Marshall Fire Department be allowed to apply for a grant in the amount of \$40,000 for a smokehouse. The preliminary requirements of this grant require a 10% match and that only new items are to be purchased. This smokehouse will be used for training the community, students at local schools and surrounding towns in how to deal with fire emergencies in a home. All voted in favor of the motion.

AUTHORIZATION TO ADVERTISE FOR TWO POLICE SQUAD UNITS:

Rob Yant, Director of Public Safety, was in attendance at the meeting to request authorization to advertise for bids for two Police squad units. Mr. Yant is requesting vehicles that are made in the police package. He is also requesting that the older Chevrolet Tahoe be traded in or sold. Councilperson Boedigheimer asked why maintenance records have not been kept on each individual vehicle, since the council has requested this many times. He was also concerned why we have to go with police packages when other cities seem to be using vehicles that are not a police package vehicle. Sturrock moved, Rowe seconded, that the proper city personnel be authorized to advertise for two Police squad units. All voted in favor of the motion.

AUTHORIZATION TO PURCHASE IN-CAR VIDEO CAMERAS:

Boedigheimer moved, Doyle seconded, that the proper city personnel be authorized to purchase three in-car video units for the Police Department. The cost of these three units is \$14,103 plus tax and shipping and handling. This price does include installation. These three units are being purchased with the funds from the proceeds of the sale of the seized Tahoe. All voted in favor of the motion.

ACCEPTING A DEED TO THE CITY OF MARSHALL:

Doyle moved, Sturrock seconded, the adoption of RESOLUTION NUMBER 2334, SECOND SERIES and that the reading of the same be waived. Resolution Number 2334, Second Series is a resolution Accepting a Deed to the City of Marshall, Minnesota. All voted in favor of the motion.

AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE 2001 TERMINAL AREA AT THE MARSHALL MUNICIPAL AIRPORT:

Boedigheimer moved, Reynolds seconded, that the proper city personnel be authorized to advertise for bids for the 2001 Terminal Area Construction at the Marshall Municipal Airport. These bids are to be received on May 1, 2001. All voted in favor of the motion.

AMENDMENT TO GROUP II ARCHITECT'S CONTRACT FOR HANGAR PROJECT NO. 1:

Doyle moved, Sturrock seconded, the approval of an amendment to the Architect's Agreement with Group II Architects for Hangar Project No. 1. This amendment provides for the demolition/removal of the Red Baron hangar to be added to the project scope. The additional services will be billed on an hourly rate and expense basis as provided in the Architect's Agreement. All voted in favor of the motion.

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

RESOLUTION SUPPORTING LEGISLATIVE ACTION TO INCREASE STATE TRANSIT FUNDING:

Doyle moved, Rowe seconded, the adoption of RESOLUTION NUMBER 2335, SECOND SERIES and that the reading of the same be waived. Resolution Number 2335, Second Series is a

REGULAR MEETING – APRIL 2, 2001

resolution Supporting Legislative Action to Increase State Transit Funding. Councilperson Sturrock asked how much of this additional money would come back to Marshall. There is no way of knowing that at this time. All voted in favor of the motion, except Boedigheimer who voted no.

FARM LEASE FOR PROPERTY IN INDUSTRIAL PARK:

Boedigheimer moved, Reynolds seconded, the approval of a farm lease with Wayne DeBaere for certain property located in Industrial Park 2 and Industrial Park 3. This is a lease with no rent, but a provision for the tenant to grow small grain. All voted in favor of the motion, except Sturrock who voted no.

LYON COUNTY CONDITIONAL USE PERMIT REQUEST FOR DULAS CONSTRUCTION:

It was the general consensus of the council that they will not take a position on this item.

COUNCIL PERSONNEL COMMITTEE AMENDMENT TO CITY TRAVEL POLICY:

Per the recommendation of the Council Personnel Committee, Reynolds moved, Sturrock seconded, that the City's Travel Policy be modified to reflect language that mirrors Internal Revenue service standards associated with business mileage reimbursement to remain in effect unless modified by the City Council. This amendment is effective April 1, 2001. All voted in favor of the motion.

SALARY INCREASE – CITY ADMINISTRATOR:

Byrnes moved, Reynolds seconded, the approval of a salary increase of 3 1/2% for Michael Johnson, City Administrator effective January 1, 2001. All voted in favor of the motion.

MAYOR AND COUNCIL MEMBERS REPORTS:

- Byrnes EDA met last week and it was indicated that they have purchase agreements on 6 houses and it was indicated that EDA will be building 5 more houses; SW Housing wants to build 8 houses and there is interest in several of the lots in this area and construction will begin soon on the town homes; Regional Development Commission will be looking for a new Executive Director.
- Stores Library Board will met next Monday
- Sturrock Cable Commission held a work session on March 27 and they are working on a needs assessment process; Utilities Commission met on March 20th and reviewed their annual audit.
- Boedigheimer Airport Commission toured 4 airports on March 28th; Senior Citizen Center Commission has not met; Lyon County Enterprise Development held their annual meeting on March 27th.
- Doyle Housing Commission meets next Monday; Human Rights Commission did not have a quorum; Convention & Visitors Bureau minutes are included in the agenda packet; Marshall Area Transit item was discussed earlier at the meeting.
- Rowe Community Services Advisory Board will meet on Wednesday.
- Reynolds Hospital Board will meet on April 16th.


COUNCILPERSON INDIVIDUAL ITEMS:

Other items on concern brought forth by the Mayor and Council members included: the redistricting for ward boundaries; several members felt that the new census numbers did not accurately

REGULAR MEETING – APRIL 2, 2001

reflect Marshall; there was a concern about the river rising; there was a concern about the parking by the Armory being to close to the intersections; and the council needs to set a date for the retreat.

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



Mayor of the City of Marshall

ATTEST:



Financial Director/City Clerk

Minutes of the City of Marshall Local Board of Review
6:00 p.m. – April 16, 2001

Council Members Present: R Byrnes, T Rowe, D Sturrock, D Stores, M Reynolds

Council Members Absent: J Doyle, M Boedigheimer

Staff Present: M Johnson, C Barnett, C Snyder, D Huber

Other Present: Dean Champine, Carolyn Runholt, Tom Meulebroeck

The 2001 City of Marshall Local Board of Review was called to order at 6:00 p.m. by Mayor Robert Byrnes in the Marshall City Council Chambers. Mayor Byrnes outlined the procedure to be followed at the meeting, and then turned it over to City Assessor Calvin Barnett.

City Assessor Barnett gave a short overview of values in general for residential, apartment, commercial and industrial properties. There were no questions from the council after his presentation. Mayor Byrnes stated that the next step in the Board of Review process was to appear at the Lyon County Board on June 18, 2001.

The members of the audience were asked to present their name, address, and address of the property in question.

Bob Sternke – True Value Store

Mr. Sternke stated there was no expansion last year on their store. He asked why there was such an increase in the valuation. The value increased 18.2% from pay 2001 to pay 2002. He would like to understand how you can arbitrarily increase values that much each year. Mr. Barnett stated that he had arranged a meeting with Ray Fox next week on the property and will try to answer all of their questions at that time.

Mr. Ray Fox – True Value Store

Attended the meeting with Mr. Sternke and had no further comments or questions at this time.

Mr. Pat Johnson – Perkins Restaurant

Mr. Johnson stated the Perkins Restaurant 's real estate taxes have increased 74% since the 1998 payable year. The revenue at the Perkins Restaurant is the same now as it was in 1997. There has been some new construction since he bought the restaurant. Mr. Johnson stated he bought the restaurant and paid way too much for it. Mr. Johnson has been talking to Mr. Barnett, and is mainly looking for some relief on his real estate taxes. Mr. Barnett will be contacting Mr. Johnson to review the property and the sale price allocation during the coming week.

Mr. Chuck Bladholm and Doug Mosch

Old Four Seasons Car Wash on Jewett Street. The value is too high because of the demolition and new construction occurring at the site. He is currently working with Mr. Barnett on the property.

1213 West Main Street – The old Elroy Regnier property. The taxes have increased 20% from last year. The property was bought for development purposes.

906 West Main Street – No value change in a vacant lot.

908 and 910 West Main Street - The properties have increased 15% to 20%. The houses are rented out for minimal rent only. They have only painted the properties and completed code required updates.

Mr. Chuck Bladholm

West College Drive and Greeley Street – vacant lot only. The taxes have increased 34%. The value has increased \$5,000. The lot is a corner lot of 66' x 131' with parking restrictions.

Lot 4 Block 2 – McFarland Addition – The value has increased 19.75% over last year. This is an odd shaped lot, being 50' on one end, which restricts building potential.

At 6:40 p.m. Councilman John Doyle arrived.

Doug Mosch

900 North Highway 59 - The value of his property increased \$72,700 for the 2000 year, and another \$32,200 for the 2001 year. Why the increase in value?

301 East College Drive - The value has increased by 13%. There were improvements in 1999. Why is there a value increase now?

Mr. Barnett stated that a meeting will be established with each property owner and a report will be submitted to the Local Board of Review on April 30, 2001.

Mayor Byrnes questioned if there were any letters on file. Barnett reported a letter from Mr. Earl Henspetter at 702 South Bend Avenue questioning the value of his property, as it is sitting on the lot line.

Motion by Mike Reynolds, seconded by David Sturrock, to adjourn the Local Board of Review at 6:50 p.m. All voted in favor of the motion.

Mayor



ATTEST:



Director of General Services

REGULAR MEETING – APRIL 16, 2001

The regular meeting of the Common Council of the City of Marshall was held on April 16, 2001 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, Sturrock, Reynolds, Boedigheimer and Stores. Absent: none. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Dan Sarff, Interim City Engineer; Thomas Meulebroeck, Financial Director/City Clerk; Kim Jergenson, Engineer Technician; 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.

APPROVAL OF THE MINUTES:

Rowe moved, Doyle seconded, that the minutes of the regular meeting held on April 2, 2001 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.

CONSENT AGENDA: CONSIDERATION OF TEMPORARY ON-SALE NON-INTOXICATING BEER LICENSE FOR THE MARSHALL SOFTBALL ASSOCIATION; CONSIDERATION OF APPLICATION FOR AN OFF-SALE BEER LICENSE FOR TEXACO SUPER STOP & WASH; CONSIDER APPLICATIONS FOR RENEWAL OF SPECIAL VEHICLE LICENSES FOR 2001; CONSIDER APPLICATION FOR TRANSIENT MERCHANT LICENSE FOR THE COUNTRY STOP, INC.; CONSIDER RESOLUTION APPROVING SPECIFIC FEES TO BE CHARGED BY THE CITY OF MARSHALL; DISPOSAL OF SURPLUS PROPERTY. BILLS/PROJECT PAYMENTS; BUILDING PERMITS:

Reynolds moved, Stores seconded, and it was unanimously approved that the following consent items be approved:

A four-month temporary on-sale non-intoxicating beer license for the Marshall Softball Association for the period May 7, 2001 through September 7, 2001 at a fee of \$100.00.

An off-sale beer license for Texaco Super Stop & Wash for the calendar year 2001 at a fee of \$75.00.

The renewal of special vehicle licenses for the calendar year 2001 at a fee of \$25.00 for Steve Kane and Robert Egly.

A transient merchants license for Richard Allen Seipel DBA The Country Stop, Inc., for the calendar year 2001 at a fee of \$250.00.

The adoption of RESOLUTION NUMBER 2336, SECOND SERIES and that the reading of the same be waived. Resolution Number 2336, Second Series is a resolution Approving Specific Fees to be Charged by the City of Marshall.

The approval to dispose of surplus City property at an auction to be held on May 17, 2001 at 6:30 P.m. at the Street Maintenance Building area at 901 Oak Street.

REGULAR MEETING – APRIL 16, 2001

The following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 28097 through 28321.

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

Applicant	Location Address	Description of Work	Valuation
1. Jeffrey D. Nielsen	623 Donita Avenue	Garage Addition	\$5,000
2. Sussner Construction, Inc.	115 West College Drive	Interior Remodeling / Lunch Room	\$146,000
3. Tadd & Janine Erickson	505 Donita Avenue	Basement Ceiling Replacement	\$1,800
4. Met-Con Companies	1310 Madrid Street	Office Building	\$5,320,000
5. True Value Home Center	112 Parkview Drive	Install Windows & Reside Dwelling	\$15,000
6. Doom & Cuypers, Inc.	1407 East College Drive	Repair Structure	\$180,000
7. John & Cheryl Smith	800 Viking Drive	Dwelling	\$170,000
8. Merlyn Borth	115 "F" Street	Install Windows & Kitchen Remodel	\$3,000
9. Roger & Joyce Evert	506 East Lyon Street	Reroof Dwelling	\$3,900
10. True Value Home Center	1101 David Drive	Dwelling	\$185,000
11. Coudron Construction	901 South 4th Street	Replace Doors	\$1,500
12. Elite Repeat	1220 East College Drive	Sign	\$200
13. PKG Contracting, Inc.	600 Erie Avenue	Equipment Buildings	\$526,000

PUBLIC HEARING PROJECT 2001-004 SOUTH HILL STREET/EAST MARSHALL STREET STORM SEWER PROJECT:

This was the date and time set for a public hearing on the Storm Sewer Project No. 2001-004 on South Hill Street and East Marshall Street. Dan Sarff, Interim City Engineer, reviewed with the council and others in attendance the project that was being proposed. The following property owners were concerned about the following items:

1. Viv Gregoire, 405 East Marshall, water from the hospital goes into her back yard
2. Mark Ingelin, 402 East Marshall, questioned the slope of the pipe and what happens to the water in the pipe if the gate is shut
3. Mark Peters, 302 South Hill, stated that there is an inlet to the storm sewer at the end of their driveway and wanted to know if this would be moved to a different location
4. Ray Henriksen, 310 South Hill, asked if the catch basins would be replaced
5. Greg Dobrenski, 202 South Whitney, asked if the alley behind him could be corrected and added to this project or if it needs to be a different project
6. Dan Schrunk, 306 East Marshall, indicated that when he checked the pipe that flows into the river in the morning it was half covered and by evening it was completely under water – so how can the water drain out. He also asked if the pipe had been televised.
7. Bill Wieseke, 109 Church Street, asked if the flow line will be lowered

REGULAR MEETING – APRIL 16, 2001

8. Ray Henriksen, 310 South Hill Street, asked if the river can be controlled when there is 4" of rain in a 24 hour period or will the water flow back into the system
9. Barb Butler, 306 South Hill Street, was informed that a 10-year storm was used to design this project.
10. Councilperson Stores was concerned with the condition of the sanitary sewer.
11. Councilperson Boedigheimer indicated that the property owners are only assessed for the portion that affects their property.
12. Councilperson Rowe was concerned about including the alley

Rowe moved, Reynolds seconded, that the public hearing be closed. All voted in favor of the motion.

Boedigheimer moved, Sturrock seconded, the adoption of RESOLUTION NUMBER 2337, SECOND SERIES and that the reading of the same be waived. Resolution Number 2337, Second Series is a resolution Ordering Improvement and Preparation of Plans for Project No. 2001-004 South Hill Street/East Marshall Street Storm Sewer and that alternates A & B be added for the Alley and Hill Street. All voted in favor of the motion.

A 2-minute recess was taken at this time.

RECEIPT OF BIDS – ELECTRONIC KEY TELEPHONE SYSTEM FOR MUNICIPAL BUILDING:

Bids were received, open and read on April 11, 2001 for an Electronic Key Telephone System for the Municipal Building. One bid was received from Fran's Communications in the amount of \$19,482.25. Rowe moved, Stores seconded, that the bid for the Electronic Key Telephone System for the Municipal Building be awarded to Fran's Communications in the amount of \$19,482.25. All voted in favor of the motion.

AMENDMENT TO POLICIES AND PROCEDURES FOR THE CENTRAL BUSINESS DISTRICT SMALL CITIES DEVELOPMENT PROGRAM:

Mr. Rick Goodeman of the Southwest Minnesota Housing Partnership was in attendance at the meeting and reviewed the modification to the Commercial Program Policies to remove the language found on page 6 of the Policies regarding a limit of 3 active commercial rehabilitation loans at any time. Rowe moved, Boedigheimer seconded, that the limit of 3 active commercial rehabilitation loans at any time be increased to 6 active commercial rehabilitation loans at any time. All voted in favor of the motion.

VARIANCE ADJUSTMENT PERMIT FOR LYON COUNTY, 504 FAIRGROUNDS ROAD:

Anita Benson, Lyon County Engineer, reviewed with the council and others in attendance the request from Lyon County to construct a building with a 5 ft. front yard in lieu of a 25 ft. front yard in an A-Agricultural District. She indicated that the building location is difficult because of existing buildings, future building locations, a fuel tank and dispensing location, and the airport clear zone. At the April 11, 2001 Planning Commission meeting, they had recommended that this variance adjustment permit be denied. Due to limitations on the areas as to where the fuel tanks could be moved, the cost to move them, and the restrictions with the airport clear zone area, Boedigheimer moved, Reynolds seconded, the approval of a variance adjustment permit for Lyon County to construct a building with a 5 ft.

front yard in lieu of a 25 ft. front yard in an A-Agricultural District at 504 Fairgrounds Road. All voted in favor of the motion, except Rowe who voted no.

REQUEST OF THE 5968 COMPANY TO REZONE 806, 808, & 810 WEST FAIRVIEW ROAD:

Rowe moved, Sturrock seconded, the approval of request to rezone 806, 808, & 810 West Fairview Road from I-1 Limited Industrial District to a B-3 General Business District for Rodney Tholen, The 5968 Company. All voted in favor of the motion.

PRELIMINARY PLAT – VIKING ADDITION PLAT 12:

Per the recommendation of the Planning Commission Rowe moved, Doyle seconded, the approval of the Preliminary Plat for Viking Addition Plat 12 with the conditions that the detention pond be platted as an outlot, the cul-de-sacs be renamed Clifton Circle and McFarland Circle, all appropriate fees be paid by the developer to the City of Marshall and that there would be not direct access to the development from Saratoga Street. Mr. McFarland indicated that he felt the fee of \$1,900 per acre was not justified. All voted in favor of the motion.

**PROJECT 2001-001 – RAINBOW DRIVE WATERMAIN REPLACEMENT PROJECT
PROJECT 2001-002 – “H” STREET WATERMAIN REPLACEMENT PROJECT
PROJECT 2001-003 – WEST MAIN STREET WATERMAIN REPLACEMENT
PROJECT:**

Sturrock moved, Reynolds seconded, that the adoption of the resolutions declaring cost to be assessed and the resolutions calling for the public hearing on the proposed assessment be tabled until the April 23, 2001 Special Council Meeting. All voted in favor of the motion.

INTRODUCTION OF ORDINANCE PROVIDING FOR THE SALE OF REAL ESTATE TO AMERICAN ENGINEERING:

Doyle moved, Stores seconded, the introduction of an ordinance providing for the sale of real estate to American Engineering. This ordinance would provide for the sale of the northerly one-acre of Lot 6, Block 3, Marshall Industrial Park Second Addition at a price of \$25,000. All voted in favor of the motion.

RESTATED FLEXIBLE BENEFITS PLAN DOCUMENT:

Tom Meulebroeck, Financial Director/City Clerk, indicated to the council that the Flexible Benefits Plan Document was being restated to bring the plan into compliance with IRS regulations. He also indicated that City Attorney, Brian Murphy, had reviewed the document. Doyle moved, Reynolds seconded, that the proper city personnel be authorized to execute the restated Flexible Benefits Plan document. All voted in favor of the motion.

RESOLUTION AUTHORIZING AND APPROVING A LEASE-PURCHASE AGREEMENT – WEINER MEMORIAL MEDICAL CENTER:

Reynolds moved, Stores seconded, the adoption of RESOLUTION NUMBER 2338, SECOND SERIES and that the reading of the same be waived. Resolution Number 2338, Second Series is a resolution Authorizing and Approving a Lease-Purchase Agreement. This

REGULAR MEETING – APRIL 16, 2001

resolution provides for Weiner Memorial Medical Center to enter into a Lease-Purchase Agreement to lease a CT scanner system. All voted in favor of the motion.

MAYOR AND COUNCIL MEMBERS REPORTS:

Reports by the Mayor and Council members of the various boards and commissions were presented at this time:

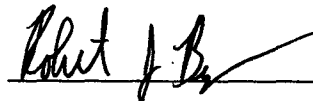
- Byrnes EDA met this past week and are continuing to work on the Parkway Housing Project; Regional Development Commission is continuing their search for a new Executive Director.
- Stores Library Board met on April 9th at the Balaton library during their open house, the Marshall Library will have their cookie contest on April 23rd, and they are starting to purchase books on CD's.
- Sturrock Cable Commission minutes are included in the agenda packet; Utilities Commission will meet on Tuesday night.
- Boedigheimer Airport Commission minutes are included in the agenda packet; Senior Citizen Center Commission and Lyon County Enterprise Development have not met; Ways and Means Committee will meet on Tuesday.
- Doyle Housing Commission minutes were provided to the council; Human Rights Commission, Convention & Visitors Bureau and Marshall Area Transit have not met.
- Rowe Community Services Advisory Board is continuing to work on the strategic plan and the bike trail; Planning Commission items were discussed earlier in the meeting.
- Reynolds Hospital Board met earlier this evening and discussed non-city residents being able to serve on the board.

COUNCILPERSON INDIVIDUAL ITEMS:

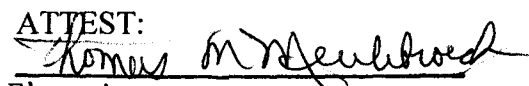
Other items of concern brought forth by the Mayor and Council members included: the streets being repaired; that Dan Sarff's public improvement power point presentation was very good; there is a concern on the accuracy of the census information; a copy of the transient merchants license for the City of Minneapolis was requested; there was a Public Improvement Transportation meeting with MN/DOT to discuss the Hwy 23 speed limit; the city has offered assistance to the City of Montevideo and Granite Falls; and a date needs to be set the council retreat.

Rowe moved, Reynolds seconded, the meeting be adjourned. All voted in favor of the motion.

Mayor



ATTEST:


Financial Director/City Clerk

SPECIAL MEETING – APRIL 23, 2001

A special meeting of the Common Council of the City of Marshall was held on April 23, 2001 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: Doyle, Rowe, Sturrock, Boedigheimer and Stores. Absent: Reynolds. Staff present included: Michael Johnson, City Administrator; Dan Sarff, Interim City Engineer; Thomas Meulebroeck, Finance Director/City Clerk; Harry Weilage, Director of Community Services; Kim Jergenson, Engineer Technician; Bob VanMoer, Wastewater Superintendent; Rich Herigon, Street Department Superintendent; Lowell Rademacher, Police Department; and Jane DeVries, Deputy City Clerk.

It was the general consensus of the council that the agenda be approved with the addition of a discussion on the flooding from April 23, 2001 being added as the first agenda item.

Discussion took place at this time on the flooding and water problems that occurred over the past weekend. Bob VanMoer, Wastewater Superintendent, indicated that Marshall received 5" of rain, which caused the sewer system to operate above maximum. He indicated that at 10:00 A.M. they were operating at 2230 gallon/minute and by 6:00 P.M. they were operating at 7700 gallon/minute. Mr. VanMoer indicated that they started to receive alarms at the lift stations at approximately 4:00 P.M. and that all of the industries were asked to reduce their flow into the sewer system.

Rich Herigon, Street Department Superintendent, indicated that he was monitoring the situation by noon on Sunday and that there was ponding on County Road 33. He also indicated that they were cleaning garbage out of the catch basins so the water could flow through them. Rich also indicated that the flood control project for the City of Marshall worked the way it was planned.

Lowell Rademacher, Sergeant Police Department, indicated that their department worked with the Wastewater Department and Street Department. They looked for trouble spots and put up barricades.

Mike Johnson, City Administrator, indicated that the Flood Control Project and Ditch 62 Project for the City worked as designed.

There were several residents in attendance at the meeting to voice their concerns in regard to the problem they had with sewer backup in their basements in the area of North Hill, Minnesota, Poplar, Birch, Pine, Boxelder, and Willow. Below are the comments and concerns of some of these residents:

- Mark Deutz, 301 North Hill, had sewage back up into his basement and he expressed his concern with the need for this not to happen
- Jean Replinger, 300 North Hill, felt that the storm sewer system was inadequate; there is no place for the storm water on the corner of Hill and Poplar to go; the sweeper needs to clean the streets so the drains work better.
- John Volker, 400 North Minnesota, had sewer back up into his basement – faster than the last time. Need to have a system that prevents sewer from backing up into basements.

SPECIAL MEETING – APRIL 23, 2001

- Darlene Allen, 908 Boxelder, was concerned with the amount of maintenance work being done in this area.
- Marvin Bahn, 906 Willow, had 6" of sewer backed up into his basement.
- Mark Deutz, 301 North Hill, asked if there was a problem because the sewer roter truck was in this area a lot. It was indicated that they clean areas on a regular basis to prevent problems.
- James Lozinski, 910 Boxelder, indicated that this is the second time he has had sewer backed up in his basement since November, 2000. He wanted to know if the alarm went off in the lift station at 4:30 P.M. how come the residents were not notified until 7:00 P.M. that there was a problem.
- Julie Allen, 214 North Hill, stated that there needs to be more communication when there is a problem. She felt that the whole city should be asked to reduce water usage.

Be it noted the arrival of Brian Murphy at 7:45 P.M.

- Michael Johnson, City Administrator, indicated that there was a press release at 9:00 A.M. and again at 3:00 P.M. on Monday, April 23, 2001.
- Ms. Allen indicated that this was not enough. She also felt that they have a problem because they are at the end of the line by the lift station and something needs to be done to correct the problem they have. Ms. Allen indicated that if you plug your sewer all you are doing is passing the problem on to the next house.
- Darcy Murphy, 902 Boxelder, questioned dumping your sump pump into the sanitary sewer. It was indicated that there is an ordinance regulating the dumping of the sump pump into the storm sewer and not the sanitary sewer.
- Brenda Deutz, 301 North Hill, had sewer backed up 3 weeks ago and there was not a heavy rainfall then.
- Jim Tate, 904 Poplar, indicated that the Ditch 62 project worked because their street did not flood, but they still had sewer backed up into their basement.
- Thomas Meulebroeck, Finance Director/City Clerk, indicated that he had talked to the city's insurance and they indicated that the property owners should report the loss to their own insurance company because the city cannot control the amount of rainfall that was received.
- Mr. Jim Lozinski indicated that the city's insurance did pay for the sewer back up he had in November, but that he had to pursue the issue.
- Julie Allen indicated that there needs to be more communication from the Mayor and City representatives and that the public needs more updates on the situation.
- Tammy Purrington, 915 Pine, indicated that they have a manhole in the back yard and that water was coming up this manhole.
- Yvonne Seivert, 218 North Hill, indicated that the water was just gushing up and that this caused additional expense for the property owners.
- Mayor Byrnes stated that three things need to be reviewed:
 1. Any improvements that are needed
 2. Major source of infiltration needs to be determined
 3. Recommendation about changing the system in the area.
- Jean Replinger, 300 North Hill, felt that a time line should be put on these items.

SPECIAL MEETING – APRIL 23, 2001

- Jim Lozinski, 910 Boxelder, wanted to know what kind of help they would be getting from the City tomorrow.
- The property owners were again instructed to keep track of their costs and turn them into their insurance company.
- It was the general consensus of the council that the city provide dumpsters in these areas for the people to dispose of their damaged items.
- Brad Kurth, 905 Poplar, asked how long the dumpsters would be there.
- It was indicated that the dumpsters would be left in the area through the weekend.

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

This was the date and time set for a public hearing on the Airport Water/Sewer Extension Project No. 2000-002. Dan Sarff, Interim City Engineer, reviewed this project with the council. There were not objections or concerns, therefore Doyle moved, Rowe seconded, that the public hearing be closed. All voted in favor of the motion.

Stores moved, Sturrock seconded, the adoption of RESOLUTION NUMBER 2339, SECOND SERIES and that the reading of the same be waived. Resolution Number 2339, Second Series is a resolution Adopting the Assessment for Project No. 2002-002, Airport Water/Sewer Extension Project. This resolution provides for the assessments to be payable over 8 years at 8% interest effective October 15, 2001. All voted in favor of the motion.

Rowe moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2340, SECOND SERIES and that the reading of the same be waived. Resolution Number 2340, Second Series is a resolution Awarding the Bid for Project 2000-002, Airport Water/Sewer Extension Project to GM Contracting, Inc., Lake Crystal, MN, in the amount of \$498,414.40. All voted in favor of the motion.

**PROJECT 2001-001 – RAINBOW DRIVE WATERMAIN REPLACEMENT PROJECT
PROJECT 2001-002 – “H” STREET WATERMAIN REPLACEMENT PROJECT
PROJECT 2001-003 – WEST MAIN STREET WATERMAIN REPLACEMENT PROJECT:**

Rowe moved, Sturrock seconded, the adoption of RESOLUTION NUMBER 2341, SECOND SERIES and that the reading of the same be waived. Resolution Number 2341, Second Series is a resolution Declaring the Cost to be Assessed, and Ordering the Preparation of Proposed Assessment for project 2001-001 Rainbow Drive Watermain Replacement Project; project 2001-002 “H” Street Watermain Replacement Project; and project 2001-003 West Main Street Watermain Replacement 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.

Rowe moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2342, SECOND SERIES and that the reading of the same be waived. Resolution Number 2342, Second Series is a resolution Calling for a Hearing on the Proposed Assessment for project 2001-001 Rainbow Drive Watermain Replacement Project; project 2001-002 “H” Street Watermain Replacement Project; and project 2001-003 West Main Street Watermain

SPECIAL MEETING – APRIL 23, 2001

Replacement Project. This public hearing will be held at 7:30 P.M. on Monday, May 21, 2001 in the Council Chambers. All voted in favor of the motion.

RESOLUTION ACCEPTING BID ON AIRPORT HANGAR NO. 1 PROJECT:

Ron Halgerson, Group II Architects briefly reviewed the bids that were received for the Airport Hangar No. 1 Project. Boedigheimer moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2343, SECOND SERIES and that the reading of the same be waived. Resolution Number 2343, Second Series is a resolution Awarding the Bids for Project 2001-007 Airport Hangar No. 1 for Schwan's Sales Enterprises. The bids awarded were:

General Construction	Nelson Construction, Inc. 223 East Benson Avenue, Willmar, MN 56201 \$804,900
Mechanical Work	Tri-State Mechanical, Inc. Highway 19 West, Marshall, MN 56258 \$146,693
Electrical Work	Gary's Electric 121 East Avenue South, Rushmore, MN 56168 \$69,040
Temporary Road	R & G Construction, Inc. Highway 59 South, Marshall, MN 56258 \$10,700

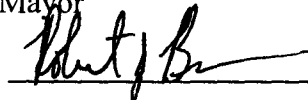
All voted in favor of the motion.

APPROVAL OF CONSTRUCTION ADMINISTRATION CONTRACT WITH GROUP II ARCHITECTS:

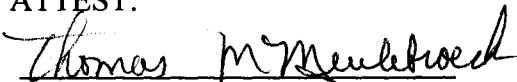
Boedigheimer moved, Stores seconded, the proper city personnel be authorized to execute the Construction Administration Contract with Group II Architects. This contract provides for Group II Architects to provide the construction administration as an additional service to the Owner-Architect Agreement for the New Aircraft Hanger No. 1 at the Marshall Municipal Airport. The compensation for the construction administration is \$19,000. All voted in favor of the motion.

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

Mayor



ATTEST:



Financial Director/City Clerk

SPECIAL MEETING – APRIL 30, 2001

A special meeting of the Common Council of the City of Marshall was held on April 30, 2001 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: Sturrock, Reynolds, Boedigheimer and Stores. Absent: Doyle and Rowe. Staff present included: Michael Johnson, City Administrator; Calvin Barnett, Director of General Services; and Jane DeVries, Deputy City Clerk.

The purpose of this special meeting was to hold a public hearing on the modification to the Marshall Tax Increment Financing Plans. Calvin Barnett, Director of General Services, reviewed with the council and others in attendance the modifications that were being proposed. These modifications included qualifying soils corrections, administrative costs and interest for the Metz Baking project on West Main Street for a total of \$81,000.00; site improvements and preparation costs, administrative costs and interest for the U.S. Bancorp project in the Technology Park Addition in the amount of \$180,000.00; and the redevelopment project on the block on which the Community Center is to be located in the amount of \$1,826,847.32. The redevelopment project on the proposed community center includes removal and replacement of force main in the Tiger Lake Area, storm sewer, sanitary sewer, cap existing sanitary sewer services, curb & gutter, sidewalk, driveway replacements, soil correction, demolition, basement fill, dumping fees, engineering costs, survey and related costs, write down on Schwan's parcel and write down Community Center Parcel. This project would use bond money issued in 1996 and 1997 for the downtown and industrial development. Mr. Barnett indicated that the bond fund has nearly enough to cover the \$1.8 million budget. There was a concern about the administrative fee being more than 5% of the project. Mr. Barnett indicated that a larger amount was budgeted but that the City would only use 5% as was used in other TIF projects.

Councilmember Boedigheimer was concerned that the council did not receive the numbers until the public hearing. He stated that the council needs this information earlier so they have time to review before the meeting. Mr. Barnett indicated that he did not have the final numbers until late Monday.

Councilperson Sturrock and Dean Champine both questioned the write down on Schwan's Parcel and the write down on the Community Center Project. Mr. Barnett briefly reviewed how these figures were arrived at. It was also stated that the figures for each individual project on the site development was only a budget and that this was the maximum that could be spent for each budgeted item.

Reynolds moved, Sturrock seconded, that the public hearing be closed. All voted in favor of the motion.

Reynolds moved, Sturrock seconded, the adoption of RESOLUTION NUMBER 2344, SECOND SERIES and that the reading of the same be waived. Resolution Number 2344, Second Series is a resolution Relating to the Modification of the Redevelopment Plans for Projects Nos. 1 and 2 and the Modification of the TIF plans for

SPECIAL MEETING – APRIL 30, 2001

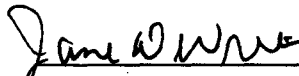
TIF Districts Nos. 1-1, 1-2, 1-4 through 1-9, and 1-10 within project No. 1 and TIF Districts Nos. 2-1 and 2-2 within Project No. 2. All voted in favor of the motion.

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

Mayor



ATTEST:



Deputy City Clerk

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, Sturrock, Reynolds, Boedigheimer and Stores. Absent: Doyle.

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 16, 2001. Mr. Barnett indicated that city staff has met with the Marshall property owners who appeared at the 2001 initial Board of Review meeting.

Mr. Barnett recommended that the following properties values be changes:

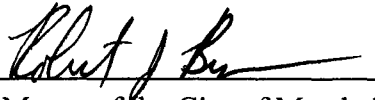
Parcel 27-598-050-4 CDI of Marshall, 202 Jewett Street – reduce the building value by \$25,000 to reflect the condition of the property at the time of the sale. The overall value of the property will reduce to \$177,000. The value as stated on the certificate of real estate value for personal property was a significant overstatement of its market value.

Parcel 27-206-065-0 Earl Henspeter, 702 South Bend Avenue – reduce the proposed 2001 value to \$91,000. This property has occupied a very small area of the neighbor's site and most likely will continue to on the basis of adverse possession. Typically, there is a five to ten foot side lot line and this property does not conform.

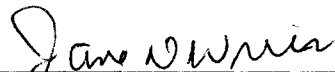
Parcel 27-110-022-0 John Kenneth Meyers, 112 East Redwood Street – reduce the property value to \$66,700 based on the property's physical condition.

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

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


Mayor of the City of Marshall

ATTEST:


Deputy City Clerk

REGULAR MEETING – MAY 7, 2001

The regular meeting of the Common Council of the City of Marshall was held on May 7, 2001 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, Sturrock, Reynolds, Boedigheimer and Stores. Council member Doyle arrived late. Staff present included: Michael Johnson, City Administrator; Dan Sarff, Interim City Engineer; Thomas Meulebroeck, Financial Director/City Clerk; Rob Yant, Director of Public Safety; Kim Jergeson, Engineer Technician; Bob VanMoer, Wastewater Superintendent; Dale Howe, Building Official; Jane DeVries, Deputy City Clerk; and Brian Murphy, City Attorney arrived late.

The Pledge of Allegiance was recited at this time.

Mayor Byrnes took this opportunity to welcome Boy Scout Troup 238 and 320 to the council meeting.

APPROVAL OF THE AGENDA:

It was the general consensus of the council that the agenda be approved with agenda item number 8 being changed to item number 2-1 and the addition of item number 13a which is the consideration of an agreement for the New Terminal Area Construction; item number 13b which is the consideration of an agreement for Sanitary Sewer and Watermain extension to the Airport; and item number 13c which is the hiring of the Public Works Director/City Engineer.

APPROVAL OF THE MINUTES:

Rowe moved, Reynolds seconded, that the minutes of the regular meeting held on April 16, 2001 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 - CONSIDERATION OF A ONE-DAY LIQUOR LICENSE FOR THE CHAMBER OF COMMERCE FOR LYON COUNTY DUCK DAYS IN JUNE; CONSIDERATION OF PLUMBER'S LICENSE RENEWAL FOR PLUMBING & HEATING OF WILLMAR; BILLS/PROJECT PAYMENTS; BUILDING PERMITS:

Sturrock moved, Reynolds seconded, and it was unanimously approved that the following consent items be approved:

A temporary on-sale intoxicating liquor license for the Marshall Area Chamber of Commerce for Duck Day's to be held at Legion Field Park on June 9, 2001 at a fee of \$25.00.

A plumbers license for Clinton D. Sixta dba Plumbing & Heating of Willmar, Inc., at a fee of \$50.00. This license will expire on March 31, 2002.

The following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 28322 through 28560.

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

Applicant	Location Address	Description of Work	Valuation
1. The Country Stop	1206 East College Drive	Temporary Structure	\$0
2. French Construction	602 Arbor Court	Basement Remodel	\$5,900
3. Bladholm Construction, Inc.	1604 Superior Road	Trash Room Addition / Specialty Foods Plant	\$156,000

REGULAR MEETING – MAY 7, 2001

4.	Bladholm Construction, Inc.	206 West College Drive	Remodel Canopy	\$500
5.	True Value Home Center	1309 Cumberland Road	Garage Addition	\$5,000
6.	Sussner Construction, Inc.	1604 Superior Road	Office Remodeling / Sales Depot	\$41,800
7.	Gary Becker	213 DeSchepper Street	Install Window	\$800
8.	Leland Floren	1402 Cumberland Road	Deck & Gazebo	\$1,500
9.	Denny Miller Construction, Inc.	706 South 4th Street	Addition	\$20,000
10.	Karl Campbell Construction	407 West Southview Drive	Reroof Dwelling	\$3,600
11.	Jeff Perschke	405 North 4th Street	Reroof Porch	\$500
12.	Melissa Astar	113 George Street	Reside Dwelling, Replace Windows, Replace Doors	\$6,000
13.	Duane Matthys	704 South 2nd Street	Reroof Dwelling	\$2,500
14.	Christopher Moede & Donald Ginder	703 East College Drive	Interior Remodeling	\$3,000
15.	Elizabeth DeVos	512 East Main Street	Replace Window	\$600
16.	Tom & Karen Winn	121 Marvin Schwan Memorial Drive	Garage Slab	\$2,400
17.	Sussner Construction, Inc.	115 West College Drive	Interior Office Remodeling / Food Service - Supply Chain	\$15,000
18.	Gerard Dalle	316 Simmons Street	Reroof Porch	\$200
19.	Dennis Lozinski	304 East Marshall Street	Reroof Dwelling	\$3,400
20.	Chappell Central	300 South Bruce Street	Clinic & O.R. HVAC Remodeling	\$283,000
21.	Schaefer Woodworks	806 Westmar Circle	Reside Dwelling, Replace Windows, Replace Doors	\$15,000
22.	Patrick Schnieder	404 West Saratoga Street	Garage	\$4,000
23.	True Value Home Center	201 East Thomas Avenue	Utility Shed	\$3,000
24.	Carr Properties	109 South 5th Street	Interior Remodel	\$12,000
25.	Tracy Cummings	1217 Prospect Road	Greenhouse Addition	\$500
26.	Barbara A. Courtney	523 Locust Drive	Manufactured Home Installation	

HIRING OF REPLACEMENT FULLTIME POLICE OFFICER:

Director of Public Safety Rob Yant administered the Oath of Office to Eric W. Klenken as a Police Officer for the City of Marshall. Upon the recommendation of Director of Public Safety Robert Yant, Rowe moved, Reynolds seconded, that Eric W. Klenken be employed as a fulltime Police Officer with the City of Marshall at the rate of \$14.47 effective May 8, 2001. The following resolution was adopted: BE IT RESOLVED that Eric W. Klenken be duly appointed, qualified and acting fulltime 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.

PUBLIC HEARING – REZONE 806, 808, 810 WEST FAIRVIEW STREET:

This was the date and time set for a public hearing on the request of the 5968 Company to rezone 806, 808 and 810 West Fairview Street from I-1, Limited Industrial District to B-3, General Business District. Dale Howe, Building Official, reviewed this request with the council and indicated that the Planning Commission and city staff was recommending approval of this request. Rowe moved, Sturrock seconded, the public hearing be closed. All voted in favor of the motion.

Boedigheimer moved, Stores, seconded, that the request of the 5968 Company to rezone 806, 808, and 810 West Fairview Street from I-1, Limited Industrial District to B-3, General Business District be approved. All voted in favor of the motion.

PUBLIC HEARING - PRELIMINARY PLAT – VIKING ADDITION PLAT 12:

This was the date and time set for a public hearing on the Preliminary Plat for Viking Addition Plat 12. Dan Sarff, Interim City Engineer, reviewed this request with the council and others in attendance at the meeting. Mr. Sarff reviewed the proposed plans for the drainage, which includes the re-grading of the area along the lot lines in Viking Addition Plat 12 and Nielsen's 9th Addition and the installation of a 12" diameter storm sewer and inlet.

Mr. McFarland did not feel that it was fair for him to have to a 60' easement and for him to pay for the drainage of this area when Nielsen's 9th Addition was not graded according to plan and they should be responsible for their share of the costs. Mr. McFarland and his engineer Mr. Aden felt that this issue could be resolved without the 60' easement.

Dale Schaefer, 1248 Patricia Court, indicated that when he built his home he was not able to slope to the back lot line and therefore has a problem with water in his back yard.

Sturrock was concerned since there does not appear to be any enforcement of the grading plan that is required with all new plats.

Reynolds moved, Sturrock seconded, the public hearing be closed. All voted in favor of the motion.

Councilperson Boedigheimer felt that the drainage for this area should be from North to South, that the outlet should be covered by the City and that the affected property owners should regrade their property correctly and at their own expense.

Sturrock moved, Rowe seconded, the approval of the Preliminary Plat – Viking Addition Plat 12 be approved with the following conditions:

1. Parcel containing the detention pond should be platted as an outlet.
2. Cul-de-sac streets should be renamed Clifton Circle and McFarland Circle.
3. It shall be stated on the Final Plat that no access to Saratoga Street will be allowed from any of the lots with the exception of the outlot containing the detention pond.
4. Drainage improvements required of the developer be implemented. An additional 20' foot wide utility easement will be required on the Final Plat between Lot 2 and Lot 3 of Block 1.
5. Outstanding charges and assessments be paid before starting construction or approval of the Final Plat.
6. The existing 10-foot wide utility easement on the south side of the plat adjacent to the T.H. 23 right-of-way be eliminated, since a 60-foot wide easement already exists.

All voted in favor of the motion.

REGULAR MEETING – MAY 7, 2001

AWARD OF BIDS – 29,000 GVW TRUCK FOR STREET DEPARTMENT:

Bids were received, opened and read on April 27, 2001 for the purchasing of one 29,000 GVW Truck for the Street Department and the selling of one 1984 IH Model 1600 Diesel truck-box from the Street Department. Bids received, opened and read were as follows:

Daniel Hanson	Olson & Johnson Trucks,
Fridley, Minnesota	Marshall, Minnesota
Purchase truck for \$832	Truck 43,150.00
	Trade-In (3,000.00)
	Sales Tax 2,609.75
	Total Bid \$42,759.75

Doyle moved, Stores seconded, the bid for the purchase of a 29,000 GVW truck chassis for the Street Department be awarded to Olson & Johnson Trucks, Marshall, Minnesota in the amount of \$42,759.75. All voted in favor of the motion.

AWARD OF BIDS – 2001 AIRPORT TERMINAL AREA CONSTRUCTION PROJECT:

Bids were received, opened and read on May 1, 2001 for the 2001 Terminal Area Construction at the Marshall Municipal Airport. Bids received, opened and read were from:

R & G Construction	Duininck Brothers, Inc.
Marshall, Minnesota	Prinsburg, Minnesota
\$1,426,634.50	\$4,482,062.00
Bill Schmidt Construction	Carstensen Contracting Inc.
Redwood Falls, Minnesota	Pipestone, Minnesota
\$1,510,660.55	\$1,550,106.85
Landwehr Construction Inc.	
St. Cloud, Minnesota	
\$1,632,791.00	

Boedigheimer moved, Reynolds seconded, the bid for the 2001 Terminal Area Construction at the Marshall Municipal Airport be awarded to R & G Construction, Marshall, Minnesota in the amount of \$1,426,634.50. All voted in favor of the motion.

STAFF REPORT ASSOCIATED WITH SANITARY SEWER BACK-UPS:

Dan Sarff, Interim City Engineer, reviewed with the council and others in attendance their report on the sanitary sewer backup problems that occurred in April due to the heavy rainfall. Mr. Sarff reviewed the normal flows at the Wastewater Treatment Facility and the effect that the heavy rainfall had on the Wastewater Treatment Facility. He indicated that sanitary sewer backups are caused by excessive inflow and/or infiltration entering the sanitary sewer system. Since the sanitary sewer system was designed to handle sewage flows and not storm water runoff, the pipes and lift stations cannot handle the excess flows and backup occurs. Mr. Sarff reviewed the plan of action that the City staff has developed to address these problems.

A 5-minute recess was taken at this time.

REGULAR MEETING – MAY 7, 2001

There were several residents in attendance at the meeting to voice their concerns in regard to the problem they had with sewer backup in their basements in the area of North Hill, Minnesota, Poplar, Birch, Pine, Boxelder, and Willow Streets. Below are the comments and concerns of some of these residents:

- Brad Kurth, 905 Poplar, was concerned why the flow into the Wastewater Treatment Facility spiked so fast after the rainfall – maybe there needs to be more enforcement of the sump pumps.
- Jean Replinger, 300 North Hill, indicated that the infiltration problem was discovered in 1994 and it is still not corrected.
- Bob VanMoer, Wastewater Superintendent, indicated that they are replacing man hole covers and that the cracked and broken sewer lines are repaired annually.
- Jim Lozinski, 910 Boxelder, wanted to know if the city can enforce property owners to repair cracked sewer lines.
- Emily Lozinski, 910 Boxelder, felt that the city should maintain sewer lines on a regular basis.
- Julie Allen, 214 North Hill, indicated that the last homes that go into the lift station are in the older part of town. It was also indicated that people that get rain water in their basements and let it flow into the sanitary sewer system cause a problem.
- Councilperson Boedigheimer indicated that there would be drain tile installed around the older homes where this occurs.

Sturrock moved, Stores seconded, that the recommendations and timeline presented by Mr. Sarff be accepted. All voted in favor of the motion.

Julie Allen, 214 North Hill, asked about being able to purchase shut off valves and having it added to their taxes. Stores moved, Doyle seconded, that the city re-implement the procedure for the purchasing of shut off valves and having it added to their taxes as was followed in 1995. All voted in favor of the motion.

REQUEST OF HOLY REDEEMER SCHOOL TO MOVE A GARAGE:

Doyle moved, Stores seconded, that Holy Redeemer School be allowed to move a garage from 300 South Bruce Street to 501 South Whitney Street. All voted in favor of the motion.

CONSIDERATION OF BIDS FOR HVAC AND MRI REMODELING PROJECTS AT WMMC:

Reynolds moved, Boedigheimer seconded, that the bids for the HVAC and MRI Remodeling Projects at Weiner Memorial Medical Center be awarded to lowest bidders as recommended by the Hospital Board. All voted in favor of the motion.

MN/DOT RESPONSE ON T.H. 23:

Due to the concerns the City of Marshall has along Hwy 23, MN/DOT has agreed to try these short-term avenues:

1. Add right turn lanes from Saratoga Street to TH 23 on both the north and south sides.
2. Add a right turn lane from northbound County Road 7 to northbound TH 23.
3. Explore the possibility of extending the left turn lane from northbound TH 23 to northbound Saratoga Street.
4. MN/DOT will contact the school about extra driver training through the Speaker's Bureau.

CHANGE ORDERS FOR M.E.R.I.T.CENTER PROJECT:

Rowe moved, Doyle seconded, that the following change orders be approved for the M.E.R.I.T. Center Project:

1. Change Order M-3 for the Apparatus Storage/Maintenance Facility in the amount of \$3,524 for changing the location of the rainwater leader outlets to the south side of the building.
2. Change Order M-4 for the Apparatus Storage/Maintenance Facility for revising the location of the sprinkler truck fill connection and for eliminating the truck fill line from the contract, which provides for a total credit in the amount of \$465.
3. Change Order M-6 for the Fire Training Tower Project in the amount of \$3,634.79 for the addition of steel for the window units, the furnishing and installation of geotextile fabric under the sub-base around the building, and handrail revisions to the fifth floor.

All voted in favor of the motion.

LYON COUNTY VARIANCE REQUESTS:

At this time the City Council has the opportunity to provide input on three variance requests that were received from the Lyon County Zoning Administrator. The three requests are from George Bowman, Joe Mortier and Darrel Mercie. The only concern the council has was the number of feet from the lot line and ability of the fire department to provide fire protection.

NEW TERMINAL AREA CONSTRUCTION:

Doyle moved, Stores seconded, the adoption of RESOLUTION NUMBER 2346, SECOND SERIES and that the reading of the same be waived. Resolution Number 2346, Second Series is a resolution Appointing and Designating the Commissioner of Transportation as Agent for the City of Marshall for the New Terminal Area Construction Project. All voted in favor of the motion.

GRANT AGREEMENT FOR SANITARY SEWER AND WATERMAIN FOR AIRPORT:

Sturrock moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2347, SECOND SERIES and that the reading of the same be waived. Resolution Number 2347, Second Series is a resolution for Authorization to Execute Minnesota Department of Transportation Grant Agreement for Airport Improvements. All voted in favor of the motion.

AUTHORIZATION FOR HIRING OF PUBLIC WORKS DIRECTOR/CITY ENGINEER:

Reynolds moved, Rowe seconded, the proper city personnel be authorized to hire Glen Olson as the new Public Works Director/City Engineer. All voted in favor of the motion.

MAYOR AND COUNCIL MEMBER REPORTS:

Reports by the Mayor and Council members of the various boards and commissions were presented at this time.

Byrnes EDA will meet on Tuesday; Regional Development Commission will meet on Thursday.

Stores Library Board will meet on May 15th

Sturrock Cable Commission will meet on Tuesday; Utilities Commission discussed the cost sharing on watermain projects with the City of Marshall; Public Improvement/Transportation Committee met with MN/DOT

Boedigheimer Airport Commission minutes are included in the agenda packet.

Doyle All of his boards and commissions meet later this month.

REGULAR MEETING – MAY 7, 2001

Rowe Community Services Advisory Board minutes are included in the agenda packet;
Planning Commission meets next Wednesday.

Reynolds All of this boards and commissions meet later this month.

COUNCILPERSON INDIVIDUAL ITEMS:

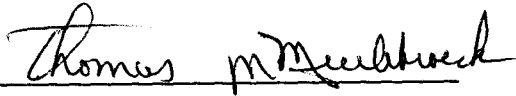
Other items of concern brought forth by the Mayor and Council members included: discussed the procedure for filling pot holes; there are several day care facilities in the area of Boxelder and they are requesting a stop sign on Hudson; the street light by 417 and 419 West College Drive needs to be repaired; the city is in the process of cleaning all of the streets; and a time needs to be set for Boards and Commissions interviews.

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

Mayor



ATTEST:



Financial Director/City Clerk

REGULAR MEETING – MAY 21, 2001

The regular meeting of the Common Council of the City of Marshall was held on May 21, 2001 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, Sturrock, Reynolds, and Stores. Absent: Boedigheimer. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Dan Sarff, Interim City Engineer; Rob Yant, Director of Public Safety; Marc Klaith, Fire Chief; Jim Jergenson, Engineer Technician; 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.

APPROVAL OF THE MINUTES:

Rowe moved, Reynolds seconded, that the minutes of the Local Board of Review held on May 7, 2001 and the regular meeting held on May 7, 2001 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

APPROVAL OF CONSENT AGENDA - APPLICATION FOR TEMPORARY ON-SALE LIQUOR LICENSE FOR MARSHALL AREA FINE ARTS COUNCIL; APPLICATION FOR RENEWAL OF SPECIAL VEHICLE LICENSES; APPLICATION FOR MARSHALL COMMUNITY SERVICES TO PURCHASE FIREWORKS FOR 4TH OF JULY; APPLICATIONS FOR PLUMBER'S LICENSES FOR LAKE COUNTRY MECHANICAL AND SCHWICKERT, INC.; BILLS/PROJECT PAYMENTS; BUILDING PERMITS:

Reynolds moved, Doyle seconded, and it was unanimously approved that the following consent items be approved:

A temporary on-sale liquor license for the Marshall Area Fine Arts Council for an event to be held at the Marshall Fine Arts Center, 313 West Main Street, on June 7, 2001 at a fee of \$25.00.

The renewal of two Special Vehicle Permits for Michael Boedigheimer. These permits will expire on December 31, 2001 and the fee for these permits was waived.

The approval of an application for Community Services to buy fireworks for display purposes on July 4, 2001 at Independence Park. Community Services will be making arrangements with the Marshall Volunteer Fire Department for the fireworks display.

The approval of Plumbers License for Jeffrey Roguske dba Lake Country Mechanical of Willmar, Minnesota; and Donald Stuve dba Schwickert, Inc., Mankato, Minnesota. These licenses will expire on March 31, 2002 and the fee for these licenses is \$50.00.

The following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 28561 through 28736.

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

Applicant	Location Address	Description of Work	Valuation
1. Hiller Development Co.	1203/1205/1207 Country Club Drive	Three-Unit Condominium	\$297,000

REGULAR MEETING – MAY 21, 2001

2.	True Value Home Center	804 DeSchepper Street	Dwelling	\$195,000
3.	Christine Weets	212 West Main Street	Two Flat Wall Signs	\$200
4.	Jerry Wiblemo	604 North 4th Street	Swimming Pool	\$22,000
5.	Bartz Excavating, Inc.	2510 North 7th Street	Meter Building	\$12,000
6.	Geske Building & Supply Co.	1108 East Lyon Street	Reside Dwelling	\$5,000
7.	Babcock Construction	806 Columbine Drive	Reside Dwelling	\$3,800
8.	Steven Baumann Construction	705 South 1st Street	Garage Addition	\$9,000
9.	Steven Baumann Construction	515 South 1st Street	Reroof Dwelling	\$5,000
10.	James A. Zarzana	227 North Hill Street	Replace Step	\$800
11.	Roger Verly	807 Neuse Lane	Reroof Dwelling	\$5,000
12.	Nelson Construction	1642 West College Drive	Aircraft Hangar	\$1,020,600
13.	Todd Miller	1006 Columbine Drive	Reside & Reroof Dwelling	\$8,000
14.	Michael Gruhot	110 "G" Street	Reroof Dwelling	\$3,100
15.	Space Development Co.	1603 Halbur Road	Testing Laboratory	\$135,000
16.	Gary & Denise Rudolf	815 Viking Drive	Dwelling	\$140,000
17.	George J. Jacob	118 East Saratoga Street	Reside Dwelling	\$2,500
18.	Paul & Diane Buesing	1102 Birch Street	Reroof Dwelling	\$1,000
19.	Ella DeVries	404 Williams Street	Reroof Garage	\$600
20.	J. Scott Hiller	230 West Lyon Street	Install Bathroom	\$1,700
21.	Dan Janssen	114 "F" Street	Reroof, Reside, Replace Windows	\$19,000
22.	Denison Roofing & Construction	104 East Main Street	Reroof Dwelling	\$2,500
23.	Customworks Construction Services	408 North 5th Street	Reroof Dwelling	\$3,000
24.	DeVries Construction, Inc.	501 Genesis Avenue	Finish Basement	\$8,000
25.	DeVries Construction, Inc.	407 Genesis Avenue	Finish Basement	\$8,000
26.	DeVries Construction, Inc.	415 Genesis Avenue	Finish Basement	\$8,000
27.	DeVries Construction, Inc.	505 Genesis Avenue	Finish Basement	\$3,000

PUBLIC HEARING – RAINBOW DRIVE WATERMAIN REPLACEMENT PROJECT 2001-001; “H” STREET WATERMAIN REPLACEMENT PROJECT 2001-002; AND WEST MAIN STREET WATERMAIN REPLACEMENT PROJECT 2001-003:

This was the date and time set for a public hearing on the 2001 Watermain Replacement Projects. Dan Sarff, Interim City Engineer, reviewed these projects with the council and those in attendance. Mr. Sarff indicated that the old watermain that are abandoned would be plugged and sealed. Councilperson Sturrock requested that the city keep track of the watermain that are plugged and sealed for future reference or use. There were no objections or other concerns therefore, Doyle moved, Stores seconded, the public hearing be closed. All voted in favor of the motion.

Sturrock moved, Stores seconded, the adoption of RESOLUTION NUMBER 2348, SECOND SERIES and that the reading of the same be waived. Resolution Number 2348, Second Series is a resolution Adopting Assessment for Rainbow Drive Watermain Replacement Project 2001-001; “H” Street Watermain Replacement Project 2001-002; and West Main Street Watermain Replacement Project 2001-003. 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, 2001. All voted in favor of the motion.

REGULAR MEETING – MAY 21, 2001

Bids were received, opened and read on April 6, 2001 for the 2001 Watermain Replacement Projects. Bids received, opened and read were from:

D & C Dozing	Schoep & Sons Contracting, LLC
Montevideo, Minnesota	Montevideo, Minnesota
\$99,342.90	\$117,517.50

Prellwitz Tiling & Backhoe Service	MidStates Utilities, Inc.
Minneota, Minnesota	Slayton, Minnesota
\$126,594.35	\$128,488.00

Bartz Excavating, Inc.	Gaub, Inc.
Marshall, Minnesota	Olivia, Minnesota
\$132,077.50	\$143,682.00

H & W Contracting LLC	GM Contracting, Inc.
Sioux Falls, South Dakota	Lake Crystal, Minnesota
\$149,464.62	\$160,422.08

Duininck Brothers, Inc.
Prinsburg, Minnesota
\$179,048.50

Doyle moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2349, SECOND SERIES and that the reading of the same be waived. Resolution Number 2349, Second Series is a resolution Accepting the Bid for Rainbow Drive Watermain Replacement Project 2001-001; "H" Street Watermain Replacement Project 2001-002; and West Main Street Watermain Replacement Project 2001-003. This bid was awarded to D & C Dozing, Montevideo, Minnesota in the amount of \$99,342.90. All voted in favor of the motion.

ADVERTISE FOR NEW FIRE TRUCK:

Marc Klaith, Fire Chief, was in attendance at the meeting to review the request for a new fire truck for the Marshall Volunteer Fire Department. This truck will be a 2000 G.P.M. Pumper Truck. This truck will allow the fire department to use their ladder truck at its maximum capacity, and also will allow more pumping capacity in emergency situations that would need a large amount of water. The truck will have a wench on the front for vehicle extrications allowing them to tie off if necessary. Doyle moved, Sturrock seconded, the proper city personnel be authorized to advertise for bids for a new fire truck for the Marshall Volunteer Fire Department. All voted in favor of the motion.

PHASE IV REMODELING PROJECT 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 Phase IV remodeling project at Weiner Memorial Medical Center. Reynolds moved, Stores seconded, that these bids be awarded as recommended by Weiner Memorial Medical Center. The architects estimated that the final portion of Phase IV would be between \$700,000 and \$800,000. All voted in favor of the motion.

CONDITIONAL USE PERMIT – DAVID A. MEIER, 305 ELAINE AVENUE:

Dale Howe, Building Official, reviewed the request of David A. Meier for a conditional use permit at 305 Elaine Avenue. Rowe moved, Doyle seconded, the approval of a Conditional Use Permit

REGULAR MEETING – MAY 21, 2001

for David A. Meier for a two-family dwelling in an R-1 One Family Residence District. All voted in favor of the motion.

VARIANCE ADJUSTMENT PERMIT – STEVE KNUTSON, 300 JEAN AVENUE:

Dale Howe, Building Official, reviewed the request of Steve Knutson for a variance adjustment permit at 300 Jean Avenue. Rowe moved, Reynolds seconded, the approval of a Variance Adjustment Permit for Steve Knutson to construct a garage addition onto the front of his dwelling at 300 Jean Avenue. This variance adjustment permit provides for a front yard of 19 feet in lieu of 25 feet on Jean Avenue. All voted in favor of the motion.

PRELIMINARY PLAT – CARR SUBDIVISION I:

Per the recommendation of the Planning Commission, Sturrock moved, Stores seconded, the approval of the Preliminary Plat for Carr Subdivision I with the items in the Engineer's Report revised to the satisfaction of the Subdivision Ordinance Requirements. The public hearing will be held at 7:30 P.M. on June 4, 2001. All voted in favor of the motion.

At this time Mayor Byrnes welcomed the Boy Scouts from Troop 228 and 320.

REZONE PROPOSED CARR SUBDIVISION I:

Per the recommendation of the Planning Commission, Doyle moved, Reynolds seconded, the introduction of an ordinance to Amend Chapter 86 of the City Code Relating to Zoning and called for a public hearing to be held at 7:30 P.M. on June 4, 2001. This ordinance would provide for the rezoning of the property within Carr Subdivision I from A, Agricultural District, to R-1, One-Family Residence District, and R-2, One to Four-Family Residence District. All voted in favor of the motion.

FINAL PLAT OF VIKING ADDITION PLAT 12:

Sturrock moved, Rowe seconded, the adoption of RESOLUTION NUMBER 2350, SECOND SERIES and that the reading of the same be waived. Resolution Number 2350, Second Series is a resolution Approving the Final Plat of Viking Addition Plat 12. The pond will be dedicated to the City of Marshall and the fees need to be paid. There was a friendly amendment to provide for an 8" storm sewer easement. The city will provide the pipe and the contractor will install the pipe. All voted in favor of the motion.

REZONE VIKING ADDITION PLAT 12:

Per the recommendation of the Planning Commission, Rowe moved, Doyle seconded, the introduction of an ordinance to Amend Chapter 86 of the City Code Relating to Zoning and called for a public hearing to be held at 7:30 P.M. on June 4, 2001. This ordinance would provide for the rezoning of Viking Addition Plat 12 from A, Agricultural District, to R-1, One-Family Residence District. All voted in favor of the motion.

MARSHALL MUNICIPAL AIRPORT - CONSIDER CHANGE ORDER NO. G-1 REGARDING ADJUSTED UNIT PRICES – NEW AIRCRAFT HANGAR NO. 1 AT THE MARSHALL MUNICIPAL AIRPORT; CONSIDER SUPPLEMENTAL AGREEMENT NO. 1 WITH TKDA TO PROVIDE CONSTRUCTION PHASE AND POST-CONSTRUCTION PHASE SERVICES; RESOLUTION ACCEPTING BIDS ON AIRPORT HANGAR NO. 2 PROJECT; CONSIDER PROPOSAL FROM AIRPORT COMMISSION ON PROPOSED ARRIVAL/DEPARTURE BUILDING:

Sturrock moved, Stores seconded, the approval of Change Order No. G-1 regarding adjusted unit prices for the New Aircraft Hangar No. 1 at the Marshall Municipal Airport. This change order modifies the pricing for adjustments to the scope of excavation and for additional adjustments to

REGULAR MEETING – MAY 21, 2001

compacted sub-base material if found to be necessary during the course of construction. All voted in favor of the motion.

Rowe moved, Sturrock seconded, the approval of a Supplemental Agreement No. 1 with TKDA to provide construction phase and post-construction phase services for the 2001 Terminal Area Development Project. The estimated cost of the construction phase services is \$181,000 and the estimate for the post-construction phase services is \$12,000. These engineering expenses are eligible for reimbursement with the State of Minnesota on a 60%/40% City basis. All voted in favor of the motion.

Doyle moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2351, SECOND SERIES and that the reading of the same be waived. Resolution Number 2351, Second Series is a resolution for the New Aircraft Hangar No. 2 Construction at Marshall Municipal Airport. The bids for Hangar No. 2 are as follows:

General Construction – Terwisscha Construction Inc., Willmar, Minnesota \$519,895.00

Mechanical Work – Hart's Heating & Refrigeration, Marshall, Minnesota \$50,400.00

Electrical Work – Mears Electric, Marshall, Minnesota \$41,600.00

All voted in favor of the motion.

Stores moved, Reynolds seconded, the approval of the Proposed Arrival/Departure Building at the Marshall Municipal Airport. This project is a joint facility that would house the City of Marshall, the fixed base operator, and Schwan's Sales Enterprises. The proposed building square footage is approximately 10,000 s.f. and has an estimated construction cost of \$2,410,000.00. The proposed funding is \$1,800,000 from Schwan's Sales Enterprises, \$300,000 from the State of Minnesota and approximately \$310,000 from the City of Marshall. All voted in favor of the motion.

A 5-minute recess was called at this time.

PROJECT 2001-004, SOUTH HILL STREET/EAST MARSHALL STREET STORM SEWER:

Per the recommendation of Interim City Engineer Dan Sarff, Sturrock moved, Stores seconded, that the proper city personnel prepare a revised Feasibility Report considering the replacement of existing watermain, sanitary sewer and street on South Hill Street/East Marshall Street. All voted in favor of the motion.

AUTHORIZATION TO TRANSFER DEVELOPMENT FILES TO KENNEDY & GRAVEN LAW FIRM:

Arlin Waelti will be leaving Gray Plant Mooty Law Firm on June 1, 2001 and joining the Kennedy & Graven Law Firm. Due to the extensive long-term partnership between the City of Marshall and Arlin Waelti as legal counsel, Doyle moved, Reynolds seconded, that Arlin Waelti continue as legal counsel and that the City of Marshall files and matters be transferred to Kennedy & Graven Law Firm. All voted in favor of the motion.

MAYOR AND COUNCIL MEMBER REPORTS:

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

- | | |
|----------|--|
| Byrnes | <u>EDA</u> met on May 8 th and they are continuing to work on the Parkway Housing Project; <u>Regional Development Commission</u> met last Thursday. |
| Stores | <u>Library Board</u> the Cookie Contest was held on May 14 th , they are starting a new program called Seniors to the Library which will be on the 3 rd Thursday of the Month; and there will be a pot luck held on June 6 th . |
| Sturrock | <u>Cable Commission</u> will hold their annual picnic on June 12 th ; <u>Utilities Commission</u> will be meeting on Tuesday; and the <u>Public Improvement/Transportation Committee</u> will meet on Wednesday. |

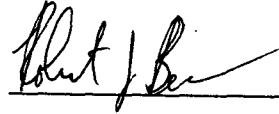
REGULAR MEETING – MAY 21, 2001

- Doyle Housing Commission minutes were handed out at the Council Meeting; Human Rights Commission met earlier this evening; Marshall Area Transit will meet on Tuesday, May 29th at 7:30 A.M.
- Rowe Community Services Advisory Board is continuing to work on their strategic planning; Planning Commission minutes are included in the agenda packet.
- Reynolds Hospital Board met earlier today and are continuing to discuss the possibility of a member living outside the city limits.

COUNCILPERSON INDIVIDUAL ITEMS:


Other items of concern brought forth by the Mayor and Council members included: RDC annual meeting will be held at SSU on July 12th; there was a concern with the students from MN West parking on the streets; the police department handled the missing student incident very well; an overlay was done on Bruce and College; lines need to be painted on city streets; plants need to be planted in the planters on Main Street; DARE held their graduation; there was a concern with the temporary measures that MN/DOT is taking on Hwy 23 and Saratoga Street.

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



Mayor of the City of Marshall

Attest:


Deputy City Clerk

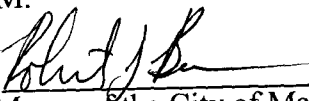
SPECIAL MEETING – JUNE 4, 2001

A special meeting of the City Council of the City of Marshall was held on June 4, 2001 in the Cottonwood Room of the Marshall Municipal Building. The meeting was called to order at 6:15 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Rowe, Doyle, Reynolds, Boedigheimer and Stores. Absent: Sturrock. Staff present included: Cal Barnett, Director of General Government Services, Thomas Meulebroeck, Financial Director/City Clerk; and Robert VanMoer, Wastewater Superintendent.

The purpose of the special meeting was for the City of Marshall auditors: Larson, Allen, Weisheir & Co. to provide an overview of the 2000 City's Audited Financial Report. Tom Koop, Partner, and Todd Wicklund, Manager for the auditing firm were in attendance at the meeting to present the report. Mr. Koop addressed the required communications to the City Council; graphical analysis related to the General, Liquor and Wastewater Fund; highlights of the audited financial statements; the Library Operations; future auditing contracts; fixed asset reporting and the implementation of GASB 34.

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

The meeting was adjourned at 7:15 P.M.


Mayor of the City of Marshall

Attest:



Financial Director/City Clerk

REGULAR MEETING – JUNE 4, 2001

The regular meeting of the Common Council of the City of Marshall was held on June 4, 2001 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, Reynolds, Boedigheimer and Stores. Absent: Sturrock. Staff present included: Brian Murphy, City Attorney; Dan Sarff, Interim City Engineer; Thomas M. Meulebroeck, Financial Director/City Clerk; Rob Yant, Director of Public Safety; Harry Weilage, Director of Community Services; Calvin Barnett, Director of General Services; Marc Klaith, Fire Chief; Kim Jergenson, Engineering Technician; and Jane DeVries, Deputy City Clerk.

The Pledge of Allegiance was recited at this time.

APPROVAL OF THE AGENDA:

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

AFPPROVAL OF THE MINUTES:

Rowe moved, Doyle seconded, that the minutes of the regular meeting held on May 21, 2001 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.

APPROVAL OF THE CONSENT AGENDA – OUT OF STATE TRAVEL FOR THE FIRE DEPARTMENT; BILLS/PROJECT PAYMMENTS; BUILDING PERMITS:

Reynolds moved, Rowe seconded, and it was unanimously approved that the following consent items be approved:

Out of state travel be granted to the Fire Department for two members to attend the International Fire Chiefs conference in New Orleans on August 24-27, 2001.

The following bills and project payments be authorized for payment: ACCOUNTS PAYBLE, Voucher No. 28737 through 28916.

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

Applicant	Location Address	Description of Work	Valuation
1. Cyril & Donna Schroeder	602 West Lyon Street	Remodel Bedroom	\$2,500
2. True Value Home Center	812 DeSchepper Street	Dwelling	\$125,000
3. Don Jants	504 West Marshall Street	Repair Foundation	\$2,000
4. Lyle Pater	1206 Horizon Drive	Install Fireplace	\$1,800
5. Sears Home Improvement	907 Birch Street	Install Windows & Reside Dwelling	\$5,000
6. G&P Construction, Inc.	600 Genesis Avenue	Dwelling	\$90,000
77. Holy Redeemer Catholic Church	521 Fairgrounds Road	Food Stand	\$35,000
8. True Value Home Center	207 South Whitney Street	Addition	\$40,000
9. Babcock Construction	415 North 5th Street	Partial Reside Dwelling & Partial Reroof Garage	\$3,400
10. Douglas Wallen	1103 Willow Lane	Reroof, Reside, Install Doors	\$3,800
11. Thomas L. & Susan K.	808 West Fairview Street	Body Shop	\$55,700

REGULAR MEETING – JUNE 4, 2001

	Wahl			
12.	Schlenner Construction Co.	806 DeSchepper Street	Dwelling	\$250,000
13.	DI Construction	610 West Marshall Street	Partial Reroof	\$500
14.	Dennis Coudron	105 West Marshall Street	Garage	\$6,000
15.	Jason J. Kopitski	203 North Hill Street	Install Window	\$600
16.	Claudia Carrasco	213 Cedar Lane	Manufactured Home Installation	

PUBLIC HEARING – CARR SUBDIVISION I:

This was the date and time set for a public hearing on Preliminary Plat for Carr Subdivision I. Dan Sarff, Interim City Engineer, reviewed this plat with the council and others in attendance. Harry Weilage, Director of Community Services, indicated that the developer has agreed to pay an amount equal to 5% of the gross value of the subdivision in lieu of parkland. Jeff Pieschke, 801 Elaine, asked where the money goes. It was indicated that this money goes into a park fund for future park development. Jack Dempsey, 503 Elaine, indicated that there should be a playground in this area and not necessarily a 10-acre park. Brian Murphy, 605 Elaine, was concerned with the drainage for this area. Jack Dempsey was concerned about paying special assessments for storm sewer if they have already paid for a storm sewer assessment and there was also a concern about the boundaries behind Elaine as it abuts to the new addition.

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

Reynolds moved, Doyle seconded, that the Preliminary Plat for Carr Subdivision I be approved. All voted in favor of the motion.

PUBLIC HEARING – REZONE CARR SUBDIVISION I:

This was the date and time set for a public hearing to consider the request to rezone the area within the proposed Carr Subdivision I Preliminary Plat from an A (Agricultural) District to an R-1 (One-Family Residence District) and an R-2 (One to Four Family Residence District). Dan Sarff, Interim City Engineer reviewed this request with the council. There were no concerns or objections, therefore Doyle moved, Reynolds seconded, that the public hearing be closed. All voted in favor of the motion.

Rowe moved, Stores seconded, the adoption of ORDINANCE NUMBER 453, SECOND SERIES and that the reading of the same be waived. Ordinance Number 453, Second Series is an Ordinance Amending Chapter 86 of the City Code Relating to Zoning. This ordinance provides for the proposed Carr Subdivision I Preliminary Plat to be rezoned from an A (Agricultural) District to an R-1 (One-Family Residence District) and an R-2 (One to Four Family Residence District). All voted in favor of the motion.

PUBLIC HEARING – REZONE VIKING ADDITION PLAT 12:

This was the date and time set for a public hearing on the request to rezone Viking Addition Plat 12 from A (Agricultural District) to an R-1 (One Family Residence District).). Dan Sarff, Interim City Engineer reviewed this request with the council. There were no concerns or objections, therefore Doyle moved, Reynolds seconded, that the public hearing be closed. All voted in favor of the motion.

Rowe moved, Reynolds seconded, the adoption of ORDINANCE NUMBER 454, SECOND SERIES and that the reading of the same be waived. Ordinance Number 454, Second Series is an

REGULAR MEETING – JUNE 4, 2001

Ordinance Amending Chapter 86 of the City Code Relating to Zoning. This ordinance provides for Viking Addition Plat 12 to be rezoned from A (Agricultural District) to an R-1 (One Family Residence District). All voted in favor of the motion.

RESOLUTION OF APPRECIATION – ED WACHA:

Stores moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2352, SECOND SERIES and that the reading of the same be waived. Resolution Number 2352, Second Series is a resolution recognizing Ed Wacha for his many years of dedicated service to the City of Marshall. Calvin Barnett, Director of General Services, took this opportunity to read this resolution on behalf of the City of Marshall. Mr. Barnett introduced Rod Salzwedell who took Ed's place. All voted in favor of the motion.

HIRING OF REPLACEMENT FULLTIME POLICE OFFICER:

Director of Public Safety Rob Yant administered the Oath of Office to Kristi L. Hansen as a Police Officer for the City of Marshall. Upon the recommendation of Director of Public Safety Robert Yant, Doyle moved, Reynolds seconded, that Kristi L. Hansen be employed as a fulltime Police Officer with the City of Marshall at the rate of \$14.47 effective June 5, 2001. The following resolution was adopted: BE IT RESOLVED that Kristi L. Hansen be duly appointed, qualified and acting fulltime 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.

CONSIDER 2000 AUDIT REPORT:

At a special meeting of the Common Council held at 6:15 P.M. Tom Koop, Auditor from Larson, Allen, Weisher & Co., Brainerd, Minnesota reviewed in detail the 2000 Audit Report for the City of Marshall with the council members and city staff. At this time he indicated that there were not major concerns or changes in regard to the audit. Stores moved, Rowe seconded, the City of Marshall Audit for 2000 be accepted as presented. All voted in favor of the motion.

AUTHORIZATION TO PURCHASE TWO SQUAD CARS:

Bids were received, open and read on May 16, 2001 for two Police Type Squad Car Vehicles. The bids received, opened and read were from:

Marshall Ford, Marshall, Minnesota

Base Bid A \$46,404 less trade-in of \$8,000 for a net bid of \$38,404

Base Bid B \$46,404

Base Bid C \$23,202 less trade-in of \$8,000 for a net bid of \$15,202

Base Bid D \$23,200

Reynolds moved, Doyle seconded, the bid for the two Police Type Squad Car Vehicles be awarded to Marshall Ford, Marshall, for two Crown Victoria Interceptors for \$46,404 minus a trade-in of \$8,000 for the 1999 Chevrolet Tahoe for a net bid of \$38,404. All voted in favor of the motion.

REPORT ON SANITARY SEWER BACK-UPS:

At this time Dan Sarff, Interim City Engineer, updated the council and those in attendance on the Plan of Action Associated with Sanitary Sewer Backup Problems. Questions and concerns at this time included:

1. Why no action has been taken on items number 5, 6, 11 and 16 of the 1994 Sanitary Sewer Study Recommendations

REGULAR MEETING – JUNE 4, 2001

2. There was a concern about the orange berg pipe being completely gone in some areas.
3. It was indicated that only spot repairs were done in 1994.
4. Boedigheimer felt that the city has compiled enough information for the staff to review and to hire additional staff rather than a consultant to help if necessary.
5. Tammy Purrington, 915 Pine, suggested that the city should use the money that a consultant would cost and help the property owners instead.
6. Stores asked what the penalty is for those who ran their sump pump into the sanitary sewer system.
7. It was indicated that the city needs to share in the responsibility of the problem.
8. It was suggested that this be referred to the Legislative and Ordinance Committee to review the current ordinance on sump pumps.

Boedigheimer moved, Rowe seconded, that a feasibility report be prepared for eliminating Lift Station 3 and redirecting wastewater flow from the Bruce Street System to the Trunk Highway 23 system. All voted in favor of the motion.

Doyle moved, Rowe seconded, the adoption of RESOLUTION NUMBER 2352A, SECOND SERIES and that the reading of the same be waived. Resolution Number 2352A, Second Series is a resolution implementing policies/procedures for alerting the community of potential sanitary sewer back-ups. All voted in favor of the motion.

Rowe moved, Stores seconded, that the proper city personnel be authorized to purchase a replacement Main Line Sewer TV Camera System to continue with televising of sanitary sewer system. All voted in favor of the motion.

Rowe moved, Doyle seconded, that the hiring of a consultant for the completion of a personal property I/I reduction program be referred to the Public Improvement Committee. All voted in favor of the motion.

Rowe moved, Stores seconded, that the current sump ordinance be referred to the Legislative and Ordinance Committee for review. All voted in favor of the motion.

A 5-minute recess was called at this time.

AIRPORT PROJECTS:

Boedigheimer moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2353, SECOND SERIES and that the reading of the same be waived. Resolution Number 2353, Second Series is a resolution, which provides Authorization to Execute Minnesota Department of Transportation Grant Agreement for Airport Improvement. This resolution is for Agreement No. 81729 for Airport Improvements. All voted in favor of the motion.

Doyle moved, Reynolds seconded, that the proper city personnel be authorized to enter into a Service Agreement with American Engineering Testing, Inc., for Testing Services for 2001 Terminal Area Project. The cost for the services per this agreement is \$15,477. All voted in favor of the motion.

Boedigheimer moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2354, SECOND SERIES and that the reading of the same be waived. Resolution Number 2354, Second Series is a resolution Authorizing Execution of Grant Agreement with MN/DOT for Hangar No. 2 (FBO) Project. This resolution is for Agreement No. 82019. All voted in favor of the motion.

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Stores moved, Reynolds seconded, the proper city personnel be authorized to enter into a Construction Administration Agreement with Group II Architects for Hangar No. 2 (FBO). The estimated cost of this agreement is \$17,500 plus reimbursable expenses. All voted in favor of the motion.

AUTHORIZATION TO ADVERTISE FOR BIDS FOR 2001 BITUMINOUS RESURFACING PROJECT:

Reynolds moved, Stores seconded, the proper city personnel be authorized to advertise for bids for the 2001 Bituminous Resurfacing Project. These bids are to be received on June 29, 2001. All vote in favor of the motion.

APPOINTMENTS TO BOARDS AND COMMISSIONS:

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

Airport Commission – reappoint Mark Bureau and Aaron Esping for 3-year terms to expire on May 31, 2004

Cable Commission – appoint Tom Leary for 3-year term to expire on May 31, 2004 and to readvertise for one position.

Community Services Advisory Board – readvertise for two positions.

Economic Development Authority – reappoint Stan Finnestad for a 6-year term to expire on May 31, 2007.

Hospital Board – Randy Serreyn be reappointed for a 5-year term to expire on May 31, 2006.

Housing Commission – readvertise for 1 position.

Human Rights Commission – reappoint June Nichols and Carol Marshall for 3-year terms to expire on May 31, 2004.

Planning Commission – appoint Todd Lendt for a 3-year term to expire on May 31, 2004 and to readvertise for one position.

Police Civil Service Commission – appoint Dan Taft for a 3-year term to expire on May 31, 2004.

Senior Center Commission – readvertise for one position.

Utilities Commission – reappoint John DeCramer for a 5-year term to expire on May 31, 2006.

MAYOR AND COUNCIL MEMBER REPORTS:

Reports by the Mayor and Council members of the various boards and commissions were presented at this time:

Byrnes No report.

Stores Library Board postponed their dinner.

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Boedigheimer Senior Citizen Commission has not met; Lyon County Enterprise Development will meet on Tuesday in Taunton.

Doyle Housing Commission will be meeting next week; Convention & Visitors Bureau meets later this month; Human Rights Commission the May minutes were distributed at the council meeting; Marshall Area Transit met last week.

Rowe Community Services is continuing to work on their strategic plan.

Reynolds No report.

COUNCILLPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Council members included: exploring the possibility of putting in a play ground area in Carr's Addition; according to the American Lung Association they would like to reduce teenage smoking; the Minneapolis paper recently listed the antique stores in Marshall and the surrounding area; and a concern with the loud noise on East and West College Drive.

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


Mayor

ATTEST:


Financial Director/City Clerk

REGULAR MEETING – JUNE 18, 2001

The regular meeting of the Common Council of the City of Marshall was held on June 18, 2001 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, Sturrock, Boedigheimer and Stores. Absent: Doyle and Reynolds. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Thomas M. Meulebroeck, Finance Director/City Clerk; Calvin Barnett, Director of General Services; 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 5a, which is the consideration to purchase property in the proposed Community Center Block.

APPROVAL OF THE MINUTES:

Rowe moved, Stores seconded, that the minutes of the special meeting held on June 4, 2001 and the minutes of the regular meeting held on June 4, 2001 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.

APPROVAL OF THE CONSENT AGENDA – RENEWAL OF GAMBLING LICENSE FOR THE AMERICAN LEGION; BILLS/PROJECT PAYMENTS; BUILDING PERMITS:

Sturrock moved, Stores seconded, BE IT RESOLVED that the proper City personnel be authorized to advise the State of Minnesota Charitable Gambling Control Board that they have approved the application for renewal of the Gambling License for the American Legion Post 113 for operation at 412 West Main Street, Marshall, Minnesota. All voted in favor of the motion.

Sturrock moved, Stores seconded, that the following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 28917 through 29159.

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

	Applicant	Location Address	Description of Work	Valuation
1.	Brian & Linda Onken	203 George Street	Install Window	\$350
2.	Marge Hoffmann	104 "G" Street	Replace Deck	\$1,200
3.	Ted & Julie Geary	902 Pine Street	Basement Remodel	\$15,900
4.	Tim Gunderson	405 North 3rd Street	Deck	\$350
5.	Lee & Dana Webskowski	603 Prospect Circle	Install Window	\$1,300
6.	Weiner Memorial Medical Center	300 South Bruce Street	Move Out Garage	\$0
7.	Holy Redeemer Catholic Church	501 South Whitney Street	Move In Garage	\$4,000

REGULAR MEETING – JUNE 18, 2001

8.	Dan & Erin Fischer	1205 Parkside Drive	Egress Windows	\$1,200
9.	Richard Zerr	412 Elm Street	Install Window	\$500
10.	Jeff Olson	100 South High Street	Reside Dwelling	\$7,000
11.	Denny Miller Construction, Inc.	509 Lawrence Street	Reroof Dwelling	\$5,000
12.	Greig & Gregerson	307 Rainbow Drive	Replace Basement	\$9,500
13.	Kenneth & Shirley Boraas	217 North High Street	Reside Dwelling	\$4,000
14.	Renee DeAustin	361 West Main Street	Exterior & Interior Remodel	\$8,600

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:

Sandra Altman, Cable Commission, 1995-2001

Robin Chaney, Cable Commission, 1996-2001

Jerald Huber, Community Services Advisory Board, 1998-2001

Sean Carmody, Housing Commission, 1995-2001

Mary Nelson, Senior Citizen Center Commission, 1998-2001

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

Loren Arvidson, Planning Commission, 1995-2001

Traci Toulouse, Planning Commission, 1999-2001

C. Dwayne Boerner, Police Commission, 1995-2001

Pat Schultz, Senior Citizen Center Commission, 1995-2001

REQUEST TO REZONE 300 NORTH 1ST STREET:

Per the recommendation of the Planning Commission, Rowe moved, Boedigheimer seconded, the introduction of an ordinance to rezone 300 North 1st Street from R-4 (Higher Density-Multiple Family Residence District) to B-1 (Limited Business District) and that a public hearing be held at 7:30 P.M. on July 2, 2001. Mr. Holland is requesting this change to allow him to use this property as a business office. All voted in favor of the motion.

AGREEMENT BETWEEN MARSHALL INDUSTRIES FOUNDATION AND CITY OF MARSHALL REGARDING THE MARKETING OF LAND IN THE INDUSTRIAL PARK:

At this time Brian Hoffman, representative from Marshall Industries Foundation, reviewed with the council the agreement that allows them to be the agent in the marketing and sale of lots and land in the Industrial Park for the City of Marshall. Councilperson Boedigheimer was concerned about them not having a real estate license. Marshall Industries Foundation is a non-profit organization and they use their profits for the good of the community. Boedigheimer moved, Sturrock seconded, the approval of the agreement between the Marshall Industries Foundation and the City of Marshall Regarding the Marketing of Land in the Industrial Park. All voted in favor of the motion.

PURCHASE PROPERTY IN PROPOSED COMMUNITY CENTER BLOCK:

Cal Barnett, Director of General Services, reviewed with the council the recommendation to purchase two tracts of land lying within the Community Center Block, which are currently owned by Marlys Brands Clipper. This property is being purchase "as is" and the city accepts all responsibility of any environmental problems that are located on this real estate. Should there be any significant disturbance of the soils, it would be the City's intent to apply directly to the Petro Fund for assistance. It is understood that the greater share of the cleanup costs would be paid by the Petro Fund. Stores moved, Rowe seconded, that the proper city officials be authorized to enter into an Earnest Money Contract of Sale (without agent) with Marlys Brands Clipper and Keith Clipper for the purchase of two tracts of land within the Community Center Block at a cost of \$45,000. All voted in favor of the motion.

MARSHALL MUNICIPAL AIRPORT – UTILITY EASEMENTS; GRANT AGREEMENT WITH FAA – PRELIMINARY REIMBURSABLE AGREEMENT FOR RELOCATION OF THE REMOTE COMMUNICATION OUTLET; GRANT AGREEMENT WITH FAA - \$150,000 GRANT FOR AIRPORT DEVELOPMENT:

Rowe moved, Sturrock seconded, the consideration of the utility easements for improvements at the Marshall Municipal Airport be tabled. All voted in favor of the motion.

Boedigheimer moved, Sturrock seconded, the proper city personnel be authorized to enter into a Grant Agreement with FAA for Preliminary Reimbursable Agreement for Relocation of the Remote Communication Outlet at the Marshall Municipal Airport. The Remote Communication Outlet at the Airport is an antenna system that is used by the pilots for communication in filing their flight plans for aviation purposes. This agreement provides for FAA to relocate this communication outlet at a cost of approximately \$6,300. These costs are eligible for reimbursement under the airport projects that were approved by MN/DOT. All voted in favor of the motion.

Stores moved, Boedigheimer seconded, that the proper city personnel be authorized to enter into a Grant Agreement with FAA for \$150,000 for the Airport 2001 Improvement Project. This is for the construction of the new FBO apron and the extension of the taxi lane. Under this agreement, the city shall receive no more than \$150,000 for airport development. All voted in favor of the motion.

APPLICATION FOR NEW ON-SALE LIQUOR LICENSE – EL TEQUILA:

Thomas Meulebroeck, Finance Director/City Clerk reviewed the application for a new on-sale liquor license for Los Tequilas Inc., dba El Tequila at 329 West Main Street. Rowe questioned whether a liquor license could be issued this close to the Municipal Building with Minnesota West holding classes there. Brian Murphy will check the State Statute to see if this will be a problem. Boedigheimer asked if the fee would be pro-rated. Boedigheimer moved, Sturrock seconded, that a public hearing be held at 7:30 P.M. on July 2, 2001 for the consideration of a new on-sale liquor license for Los Tequilas Inc., dba El Tequila at 329 West Main Street. All voted in favor of the motion.

LEGISLATIVE AND ORDINANCE COMMITTEE:

Per the recommendation of the Legislative and Ordinance Committee, Sturrock moved, Stores seconded, and it was unanimously approved the introduction of the following ordinances:

1. Amending Chapter 42 providing for the offense of tumultuous conduct.
2. Amending Chapter 42 providing the offense of fighting.
3. Amending Chapter 42 providing the offense of disorderly conduct.
4. Amending Chapter 42 providing the offense of loud and noisy gathering.
5. Amending Chapter 42 providing the offense of interference with Fire Department.
6. Amending Chapter 74 providing for the offense of abandoning a motor vehicle.

Per the recommendation of the Legislative and Ordinance Committee, Boedigheimer moved, Rowe seconded, the introduction of an ordinance establishing a 90-day moratorium within the city on the construction of new towers and on the use and development of property for such new towers. All voted in favor of the motion.

Per the recommendation of the Legislative and Ordinance Committee, Boedigheimer moved, Sturrock seconded, the introduction of an ordinance amending certain sections of Chapter 86 regulating zoning for certain schools in the City of Marshall. All voted in favor of the motion.

Per the recommendation of the Legislative and Ordinance Committee, Rowe moved, Stores seconded, the adoption of RESOLUTION NUMBER 2355, SECOND SERIES and that the reading of the same be waived. Resolution Number 2355, 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 northbound leg of Hill Street at the intersection of Hill Street and Boxelder Street. All voted in favor of the motion.

Per the recommendation of the Legislative and Ordinance Committee, Rowe moved, Stores seconded, the adoption of RESOLUTION NUMBER 2356, SECOND SERIES and that the reading of the same be waived. Resolution Number 2356, 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 northbound leg of Minnesota Street at the intersection of Minnesota Street and Boxelder Street. All voted in favor of the motion.

Per the recommendation of the Legislative and Ordinance Committee, Rowe moved, Stores seconded, the adoption of RESOLUTION NUMBER 2357, SECOND SERIES and that the reading of the same be waived. Resolution Number 2357, 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 southbound leg of Hudson Street at the intersection of Hudson Street and Boxelder Street. All voted in favor of the motion.

Per the recommendation of the Legislative and Ordinance Committee, Rowe moved, Stores seconded, the adoption of RESOLUTION NUMBER 2358 SECOND SERIES and that the reading of the same be waived. Resolution Number 2358, Second Series is a resolution Providing for Control Signage in the City of Marshall. This resolution provides for the

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installation of a "Stop" sign on the eastbound leg of Genesis Avenue at the intersection of Genesis Avenue and County Road 67. All voted in favor of the motion.

COUNCIL PERSONNEL COMMITTEE – CONSIDER HAY REPORT ON POSITION PROFILES; CONSIDER CHANGE TO CAR ALLOWANCE CONTRIBUTION:

Per the recommendation of the Personnel Committee, Rowe moved, Stores seconded, that the Position Profiles for the Park Superintendent and the New Maintenance Worker I and Maintenance Worker II positions be approved. The Park Superintendent position will increase from 270 points to 360 points and the top rate for Step 5 would be \$20.64. Because of this change the wage for the Park Superintendent will be increased to \$20.64 effective June 1, 2001. The proposed new wage rates for the Maintenance Worker I position would be \$15.31/hr and the proposed new Maintenance Worker II position would be \$16.03. All of these rates are at Step 5 based on the 2001 Pay Plan. The personnel in these areas would be reclassified to these new rates, however, those with rates above the new proposed rates would see no reduction in salary until such time as they new rate caught up to their current salaries. All voted in favor of the motion.

Per the recommendation of the Personnel Committee, Rowe moved, Stores seconded, that the car allowance for Division Heads and the City Administrator be increased from \$175 to \$250 per month effective July 1, 2001. All voted in favor of the motion, except Boedigheimer who voted no.

PUBLIC IMPROVEMENT/TRANSPORTATION COMMITTEE – PRIVATE PROPERTY I/I REDUCTION PROGRAM:

A this time Mike Johnson briefly reviewed the discussion that took place at the Public Improvement/Transportation Committee in regard to the Private Property I/I Reduction Program. The city staff was instructed to redefine the tasks that would be done by the consultant for the scope of approach of solving the problem and re-submit to the City Council for the July 2, 2001 meeting.

MAYOR AND COUNCIL MEMBER REPROTS:

Reports by the Mayor and Council members of the various boards and commissions were presented at this time:

- | | |
|----------|--|
| Byrnes | <u>EDA</u> met this past week and discussed the Parkway Housing Addition – 8 houses have been sold. |
| Stores | <u>Library Board</u> will be holding their annual picnic on June 26 th , and they are starting to work on their budget. |
| Sturrock | <u>Cable Commission</u> will be holding their picnic on Tuesday; <u>Utilities Commission</u> will meet later this month; <u>SW Regional Development Commission</u> annual meeting will be held at SSU on July 12 th . |

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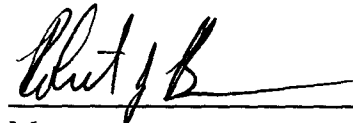
Boedigheimer Airport Commission minutes were included in the agenda packet; Ways and Means Committee needs to schedule a meeting; Senior Citizen Center Commission will meet on Wednesday and talk about their budget.

Rowe Community Services Advisory Board trip on the new bike trail was cancelled; M.E.R.I.T. Center the MN West offices moved from the Municipal Building to the M.E.R.I.T. Center and he will try to arrange a tour for the council.

COUNCILPERSON INDIVIDUAL ITEMS:

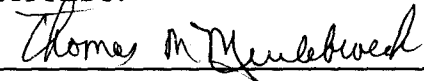
Other items of concern brought forth by the Mayor and Council members included: the river continues to be high and has left its bank along West College Drive; there will be a joint meeting with the County.

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



Mayor

ATTEST:



Financial Director/City Clerk

REGULAR MEETING – JULY 2, 2001

The regular meeting of the Common Council of the City of Marshall was held on July 2, 2001 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, Sturrock, Reynolds, Boedigheimer and Stores. Absent: none. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Glenn Olson, Director of Public Works/City Engineer; Thomas M. Meulebroeck, Financial Director/City Clerk; Calvin Barnett, Director of General Services/City Assessor; Robert VanMoer, Wastewater Superintendent; and Jane DeVries, Deputy City Clerk.

The Pledge of allegiance was recited at this time.

At this time City Administrator Mike Johnson, introduced the City of Marshall's new Public Works Director/City Engineer - Glenn Olson.

APPROVAL OF THE AGENDA:

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

APPROVAL OF THE MINUTES:

Rowe moved, Doyle seconded, that the minutes of the regular meeting held on June 18, 2001 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 – REZONE 300 NORTH 1ST STREET:

This was the date and time set for a public hearing to rezone 300 North 1st Street from R-4, Higher Density Multiple Family Residence District, to a B-3, General Business District for Craig Holland. Mike Johnson, City Administrator, reviewed this request with the council. There were no questions or concerns, therefore Rowe moved, Sturrock seconded, the public hearing be closed. All voted in favor of the motion.

Rowe moved, Stores seconded, the adoption of ORDINANCE NUMBER 455, SECOND SERIES and that the reading of the same be waived. Ordinance Number 455, Second Series is an ordinance Amending Chapter 86 of the City Code Relating to Zoning. This ordinance provides for the property located at 300 North 1st Street to be rezoned from R-4, Higher Density Multiple Family Residence District, to a B-3, General Business for Craig Holland. All voted in favor of the motion.

PUBLIC HEARING – ON-SALE LIQUOR LICENSE FOR EL TEQUILA:

This was the date and time set for a public hearing for an on-sale liquor license for El Tequila. The applicant Jose Garcia was not in attendance at the meeting, therefore this item was moved to later in the meeting to allow time for Jose Garcia to arrive.

AWARD OF BIDS – PROJECT 2001-010:

Bids were received, opened and read on June 29, 2001 for Bituminous Resurfacing and Seal coating on Various City Streets. The bids received, opened and read were from:

Duininck Bros., Inc.
Prinsburg, Minnesota
\$129,983.66

McLaughlin & Schulz, Inc.
Marshall, Minnesota
\$125,535.26

Glenn Olson, Director of Public Works/City Engineer reviewed these bids with the council. Mr. Olson indicated that Channel Parkway was to be added to this project and that with the additional

REGULAR MEETING – JULY 2, 2001

cost it would not exceed the budget amount of \$150,000. Doyle moved, Reynolds seconded, that the bid be awarded to McLaughlin & Schulz, Inc., Marshall, Minnesota for a cost not to exceed \$150,000, which includes the addition of Channel Parkway. All voted in favor of the motion.

CONSENT AGENDA – RESOLUTION OF APPRECIATION FOR NONA STOKKE; AUTHORIZATION TO ATTEND ICMA CONFERENCE; CONSIDER APPLICATION FOR TRANSIENT MERCHANT LICENSE T.A.P. ENTERPRISES, INC.; CONSIDER APPROVAL FOR THE VFW CLUB TO BE GRANTED A TEMPORARY BEER LICENSE FOR THE LYON COUNTY FAIR ON AUGUST 9-12, 2001 AND A TEMPORARY LIQUOR LICENSE ON AUGUST 9-10, 2001; BILLS/PROJECT PAYMENTS; BUILDING PERMITS:

Stores moved, Rowe seconded, and it was unanimously approved that the following consent items be approved:

RESOLUTION NUMBER 2359, SECOND SERIES and that the reading of the same be waived. Resolution number 2359, Second Series is a resolution of Appreciation for Nona Stokke.

Out of state travel be granted to Michael Johnson to attend the ICMA annual conference in Salt Lake City, Utah on September 22-26, 2001.

A transient merchants license be approved for T.A.P. Enterprises, Inc., at a fee of \$250.00. This license will expire on December 31, 2001.

A temporary on-sale non-intoxicating beer license for the VFW Post 742 for use at the Lyon County Fairgrounds on August 9-12, 2001. The fee for this license is \$25.00.

A temporary on-sale liquor license for the VFW Post 742 for use at the Lyon County Fairgrounds on August 9-10, 2001. The fee for this license is \$50.00.

The following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 29160 through 29214.

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

<i>Applicant</i>	<i>Location Address</i>	<i>Description of Work</i>	<i>Valuation</i>
1. Geske Building & Supply Co.	708 Brian Street	Reside Dwelling	\$6,600
2. Kevin Goslar	300 West Southview Drive	Garage Addition	\$5,000
3. Jason Rokeh & Daniel Hisken	212 Oslo Avenue	Dwelling	\$65,000
4. Kevin J. DeBoer & Nicole Johnson-DeBoer	211 North Hill Street	Front Porch	\$5,000
5. Dulas Construction, Inc.	106 South 5th Street	Reroof Office	\$4,400
6. Dulas Construction, Inc.	610 South Saratoga Street	Dwelling	\$97,000
7. Dennis Lozinski	1003 Woodfern Drive	Reroof	\$3,000
8. Todd & Greta Hisken	213 Oslo Avenue	Dwelling	\$65,000
9. Independent Lumber of Marshall, Inc.	1108 Willow Lane	Dwelling	\$115,000
10. Independent Lumber of	111 West James Avenue	Addition	\$50,000

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	Marshall, Inc.			
11.	True Value Home Center	809 DeSchepper Street	Dwelling	\$120,000
12.	Phil & Susan Dwire	623 Soucy Drive	Interior Remodel	\$4,000
13.	Denny Miller Construction, Inc.	302 South Hill Street	Replace Windows	\$5,000
14.	Schwan's Sales Enterprises, Inc.	115 West College Drive	Interior Remodeling / Food Service Group Kitchen	\$239,900
15.	Mike Buysse Construction	605 Donita Avenue	Reside Dwelling	\$6,000
16.	Premier Painting & Construction	302 Walnut Street	Reroof	\$4,000
17.	Premier Painting & Construction	705 Elaine Avenue	Reside, Replace Windows	\$7,000
18.	Chris Ulrich	114 Kathryn Avenue	Install Windows	\$1,200
19.	Dean Coudron	627 West Southview Drive	Garage	\$6,000
20.	Dulas Construction, Inc.	1200 East Main Street	Retail Store	\$325,000
21.	Steve Tutt Construction	605 Paul Street	Reroof	\$6,800
22.	Denny Miller Construction, Inc.	700 East Southview Drive	Reroof	\$3,800

ADOPTION OF ORDINANCES:

Reynolds moved, Doyle seconded, the adoption of ORDINANCE NUMBER 456, SECOND SERIES and that the reading of the same be waived. Ordinance Number 456, Second Series is an ordinance Amending Chapter 42 of the City Code Providing the Offense of Tumultuous Conduct in the City of Marshall, Minnesota. All voted in favor of the motion.

Reynolds moved, Doyle seconded, the adoption of ORDINANCE NUMBER 457, SECOND SERIES and that the reading of the same be waived. Ordinance Number 457, Second Series is an ordinance Amending Chapter 42 of the City Code Providing the Offense of Fighting in the City of Marshall, Minnesota. All voted in favor of the motion.

Reynolds moved, Doyle seconded, the adoption of ORDINANCE NUMBER 458, SECOND SERIES and that the reading of the same be waived. Ordinance Number 458, Second Series is an ordinance Amending Chapter 42 of the City Code Providing the Offense of Disorderly Conduct in the City of Marshall, Minnesota. All voted in favor of the motion.

Reynolds moved, Doyle seconded, the adoption of ORDINANCE NUMBER 459, SECOND SERIES and that the reading of the same be waived. Ordinance Number 459, Second Series is an ordinance Amending Chapter 42 of the City Code Providing the Offense of Loud and Noisy Gathering in the City of Marshall, Minnesota. All voted in favor of the motion.

Reynolds moved, Doyle seconded, the adoption of ORDINANCE NUMBER 460, SECOND SERIES and that the reading of the same be waived. Ordinance Number 460, Second Series is an ordinance Amending Chapter 42 of the City Code Providing the Offense of Interference with Fire Department in the City of Marshall, Minnesota. All voted in favor of the motion.

Reynolds moved, Sturrock seconded, the adoption of ORDINANCE NUMBER 461, SECOND SERIES and that the reading of the same be waived. Ordinance Number 461, Second Series is an

ordinance Amending Chapter 74 of the City Code Providing the Offense of Abandoning a Motor Vehicle in the City of Marshall, Minnesota. All voted in favor of the motion.

Reynolds moved, Stores seconded, the adoption of ORDINANCE NUMBER 462, SECOND SERIES and that the reading of the same be waived. Ordinance Number 462, Second Series is an ordinance Establishing a 90-Day Moratorium within the City on the Construction of New Towers and on the Use and Development of Property for Such New Towers thereby Chapter 86 of the City Code by adding a new Section 86.31 for that Purpose in the City of Marshall, Minnesota. All voted in favor of the motion.

Discussion was held at this time on the ordinance regulating zoning for certain schools. Councilperson Rowe was not in favor a school being an allowed in a business district. Sturrock indicated that this ordinance was being considered because the Alternative School is considering using the old Hy-Vee Store. Boedigheimer moved, Reynolds seconded, the adoption of ORDINANCE NUMBER 463, SECOND SERIES and that the reading of the same be waived. Ordinance Number 463, Second Series is an ordinance Amending Certain Sections of Chapter 86 Regulating Zoning for Certain Schools in the City of Marshall, Minnesota. All voted in favor of the motion, except Rowe who voted no.

INTRODUCTION OF ORDINANCE AMENDING CHAPTER 78 REGULATING UTILITIES:

Mike Johnson, City Administrator, reviewed the introduction of an ordinance amending Chapter 78 regulating utilities. Bob VanMoer, Wastewater Superintendent, reviewed the proposed changes in this ordinance. Sturrock moved, Rowe seconded, the introduction of an ordinance Amending Chapter 78 Regulating Utilities in the City of Marshall, Minnesota. All voted in favor of the motion.

EASEMENT AGREEMENTS FOR PROJECT 2000-002:

Sturrock moved, Stores seconded, that the proper city personnel be authorized to enter into the Easement Agreements with Randy J. & Linda Runia in the amount of \$1,077.38; Charles L. & Laurie J. Bradley in the amount of \$1,038.00; and Steven R. & Debra Doom / Richard H. & Janet Doom in the amount of \$1,607.50. These easements allow for a permanent utility easement and a temporary construction easement across these three parcels along the East side of County Road 7 between T.H. 19 and the Diversion Channel. All voted in favor of the motion.

INFORMATIONAL PRESENTATION ON PROPOSED 2002 RENTAL TOWN HOME PROJECT:

Rick Goodemann from Southwest Minnesota Housing Partnership was in attendance at the meeting to review the proposed 30-Unit Town Home Rental Project within the City of Marshall. The attempt in the proposal is to provide a mixed income development utilizing several sources of funding versus a funding through the Minnesota Housing Finance Agency including low-income housing tax credits. Councilperson Boedigheimer questioned Southwest Housing being able to sell these after 30-years and making a profit. He felt that this should be designed as a deferred loan.

AGREEMENT BOLTON & MENK, INC., TIGER LAKE STORM WATER LIFT STATION:

Glenn Olson, Director of Public Works/City Engineer, reviewed with the council the agreement with Bolton & Menk, Inc., for the engineering services related to the relocation of the Tiger Lake Storm Water Lift Station Force Main. The fee for this service will not exceed \$36,500. Doyle moved, Sturrock, seconded, the proper city personnel be authorized to enter into an agreement with Bolton & Menk, Inc., for engineering services relating to the relocation of the Tiger Lake Storm Water Lift Station Force Main. All voted in favor of the motion.

PUBLIC HEARING – ON-SALE LIQUOR LICENSE FOR EL TEQUILA:

This was the date and time set for a public hearing on the application for an on-sale liquor license for El Tequila located at 329 West Main Street, Marshall. Thomas M. Meulebroeck, Finance Director/City Clerk reviewed with the council the status of the application. He indicated that the real estate taxes have been paid; the State Statute as it relates to the proximity of the location to City Hall, where there are educational classes held does not apply (this statute refers to state universities); and that the fee on-sale liquor license have been pro-rated in the past to the nearest full month. The applicant was not in attendance at the meeting. Reynolds moved, Rowe seconded, that the public hearing be closed. All voted in favor of the motion.

Boedigheimer moved, Stores seconded, that the on-sale liquor license for El Tequila be approved for the period July 2, 2001 through December 31, 2001 contingent upon the receipt of a certificate of insurance and that the fee be pro-rated. The pro-rated fee is \$1750. All voted in favor of the motion.

A 5-minute recess was taken at this time.

AUTHORIZATION TO PURCHASE SEWER TELEVISIONING SYSTEM:

Bob VanMoer, Wastewater Superintendent, reviewed the Sewer Televisioning System that they are requesting to purchase from Aires Industries Inc., in the amount of \$38,382. He indicated that they had three manufactures demonstrate their systems and provide them with quotes for the purchase of their systems. Stores moved, Rowe seconded, the proper city personnel be authorized to purchase the Sewer Televisioning System from Aires Industries Inc., in the amount of \$38,382. All voted in favor of the motion.

Bob VanMoer, Wastewater Superintendent, gave a brief update on the status of the sewer backup problem and Glenn Olson talked on spot-checking of the sump pumps.

CHANGE ORDERS – APPARATUS STORAGE/MAINTENANCE FACILITY M.E.R.I.T. CENTER:

Boedigheimer moved, Doyle seconded, the approval of Change Order G-4 for Bladholm Construction Inc., in the amount of \$733.26 for the addition of color striping to the extra walls of the garage area of the M.E.R.I.T. Center. All voted in favor of the motion. Boedigheimer moved, Doyle seconded, the approval of Change Order E-3 for Meier Electric, Inc., in the amount of \$2,088.00. This change order is for approximately eight (8) minor changes addressing fans, switches, and other miscellaneous electrical adjustments that were needed for the Apparatus Storage Facility. All voted in favor of the motion.

INTRODUCTION OF ORDINANCE AMENDING MAYOR AND COUNCILMEMBERS SALARY:

Rowe moved, Doyle seconded, the introduction of an ordinance Amending the Salaries and Compensations of the Mayor and Councilpersons for the City of Marshall. All voted in favor of the motion.

MAYOR AND COUNCIL MEMBER REPORTS:

Reports by the Mayor and Council members of the various boards and commissions were presented at this time:

Byrnes EDA housing project was discussed earlier; Regional Development Commission annual meeting will be held at SSU.

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Stores Library Board will meet next week.

Sturrock Cable Commission met on June 19th and will meet on July 17th; Utilities Commission met last week.

Boedigheimer No report.

Doyle Human Rights Commission met last Monday; Marshall Area Transit met last week.

Rowe No report.

Reynolds Hospital Board - Reynolds was unable to attend last meeting.

COUNCILPERSON INDIVIDUAL ITEMS:

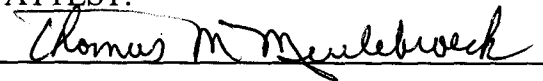
Other items of concern brought forth by the Mayor and Council members included: the street lights by Legion Field need to be fixed; discussion on the reimbursement program for Dutch Elm Disease Trees and discussion of letter from auditors need to be added to Ways and Means Committee; discussion on the letter to the editor about the renaming of the airport; discussed the article in the paper on the Breyfogle property; the surface water utility is not being collected; the League of MN Cities meeting in Duluth; the July 4th celebration; web site information needs to be updated; overlay on Skunk Hollow Road; the city has received information on how to challenge the census counting.

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



Mayor

ATTEST:



Financial Director/City Clerk

REGULAR MEETING – JULY 16, 2001

The regular meeting of the Common Council of the City of Marshall was held on July 16, 2001 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, Sturrock, Reynolds, Boedigheimer and Stores. Absent: none. Staff present included: Brian Murphy, City Attorney; Glenn Olson, Director of Public Works/City Engineer; Thomas M. Meulebroeck, Financial Director/City Clerk; Harry Weilage, Director of Community Services; Bob 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 that the agenda be approved with the request for out of state travel being to be added to the consent agenda.

APPROVAL OF THE MINUTES:

Rowe moved, Reynolds seconded, that the minutes of the regular meeting held on July 2, 2001 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 – PARADE REQUEST FROM CHAMBER OF COMMERCE TO CLOSE HIGHWAY 59 FOR CRAZY DAY PROMOTION; CONSIDER APPROVAL OF APPLICATION FOR A SUNDAY ON-SALE LIQUOR LICENSE FOR EL TEQUILA; CONSIDER APPROVAL OF APPLICATION FOR A TEMPORARY ON-SALE INTOXICATING LIQUOR LICENSE FOR THE MARSHALL AREA CHAMBER OF COMMERCE FOR AN EVENT TO BE HELD AT THE LYON COUNTY FAIRGROUNDS ON AUGUST 15, 2001; CONSIDER APPROVAL FOR A TEMPORARY ON-SALE NON-INTOXICATING BEER LICENSE FOR THE MARSHALL BASEBALL ASSOCIATION FOR THE MONTH OF SEPTEMBER; ANNUAL FINANCIAL REPORT FOR THE MARSHALL FIRE DEPARTMENT RELIEF ASSOCIATION; REQUEST FOR OUT-OF-STATE TRAVEL TO SUSSEX, WISCONSIN; BILLS/PROJECT PAYMENTS; BUILDING PERMITS:

Stores moved, Doyle seconded, and it was unanimously approved that the following consent items be approved:

A request from the Chamber of commerce to close Main Street between College Drive and North 5th Street on Thursday, July 19, 2001 from 6:00 A.M. to 6:00 P.M. for Crazy Days.

The approval of a Sunday on-sale liquor license for El Tequila at a fee of \$200. This license will expire on December 31, 2001.

The approval of a temporary on-sale intoxicating liquor license for the Marshall Area Chamber of Commerce for an event to be held at the Lyon County Fairgrounds on August 15, 2001. The fee for this license is \$25.00.

The approval of a temporary on-sale non-intoxicating beer license for the Marshall Baseball Association for the month of September. The fee for this license is \$25.00.

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The receipt of the Annual Financial Report for the Marshall Fire Department Relief Association

Out-of-state travel be approved for two employees from Wastewater to attend training on the sewer video camera. This training will be held in Sussex, Wisconsin.

The following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 29215 through 29612.

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

	Applicant	Location Address	Description of Work	Valuation
1.	John & Jennifer McDonald	112 Gray Place	Reside Dwelling and Install Windows	\$6,500
2.	Duane Maxwell	306 Walnut Street	Reroof Dwelling	\$4,000
3.	Plasti-Line, Inc.	1217 East College Drive	Install Signage	\$10,000
4.	Plasti-Line, Inc.	301 West College Drive	Install Signage	\$10,000
5.	Anthony & Patricia Alcorn	1002 Silvervine Drive	Garage Addition	\$6,000
6.	Richard Barnes	701 Lawrence Street	Install Fireplace	\$3,500
7.	R&G Construction Co.	1642 West College Drive	Demolish Hangar Building	\$0
8.	Terwisscha Construction, Inc.	1612 West College Drive	Aircraft Hangar	\$519,900
9.	Geoff & Victoria Cunfer	400 North 5th Street	Interior Remodel / Additional Work	\$8,000
10.	Henry Colburn	508 Thomas Avenue	Reroof Dwelling	\$3,000
11.	Kevin & Linda Honetschlager	808 DeSchepper Street	Dwelling	\$200,000
12.	Master's Plan, LLP	816 West Southview Drive	Two-Unit Condominium	\$180,000
13.	Minnesota Corn Processors, LLC	400 West Erie Road	Chiller Addition	\$100,000
14.	Julius & Elizabeth Naber	1202 Cheryl Avenue	Replace Steps & Replace Doors	\$1,000
15.	French Construction	301 Carrow Street	Replace Window	\$2,600
16.	Sussner Construction, Inc.	1600 Hahn Road	Reroof	\$32,800
17.	Shawn Phan / Professionails	349 West Main Street	Install Sign	\$100
18.	David A. Meier	305 Elaine Avenue	Two-Family Dwelling	\$155,000
19.	A&B Business Products	804 West College Drive	Install Sign	\$500
20.	Paul Johnson, DDS	401 Jewett Street	Office Building	\$425,000
21.	Dan & Lisa Gregoire	107 Fremont Street	Install Window	\$1,000
22.	Geske Building & Supply Co.	205 West Southview Drive	Siding and Replace Doors	\$11,000
23.	Babcock Construction	410 South Whitney Street	Reside Dwelling, Install Doors and Install Windows	\$8,500
24.	THROM, LLC	130 Lilac Drive	Manufactured Home Installation	

ORDINANCE AMENDING CHAPTER 78 REGULATING UTILITIES:

Rowe moved, Sturrock seconded, the adoption of ORDINANCE NUMBER 464, SECOND SERIES and that the reading of the same be waived. Ordinance Number 464, Second Series is an ordinance Amending Certain Sections of Chapter 78 Regulating Utilities in the City of Marshall. This ordinance provides for revisions to update the current ordinance to current practices and to bring it into a format, which follow the Environmental Protection Agencies Pretreatment Standards. All voted in favor of the motion.

ORDINANCE AMENDING SALARIES AND COMPENSATION OF MAYOR AND COUNCILMEMBERS:

Rowe moved, Reynolds seconded, the adoption of ORDINANCE NUMBER 465, SECOND SERIES and that the reading of the same be waived. Ordinance Number 465, Second Series is an ordinance Amending the Salaries and Compensations of the Mayor and Councilpersons for the City of Marshall, Minnesota effective January 1, 2002. All voted in favor of the motion.

PLAN OF ACTION ASSOCAITED WITH SANITARY SEWER BACK-UPS:

Glenn Olson, Director of Public Works/City Engineer; reviewed with the council the Plan of Action Associated with Sanitary Sewer Back-ups:

1. A mass mailing of questionnaire to identify problem areas was conducted. An incorrect address list was used, so approximately 3450 will be resent. Results will be compiled from these questionnaires.
2. Sump Pump Discharge Program – city staff will be implementing a public information program related to sump pump connections. This will consist of press releases, mailings, cable access and public meetings. Random inspections for compliance with the sump pump ordinance are being developed.
3. Smoke testing and dye testing is being done in areas suspected of having possible I/I connections.
4. Televising suspected problem areas would begin as soon as the equipment arrives and training is complete.
5. Policies/procedures for alerting high-risk areas of potential flooding have been implemented.
6. Current ordinances related to storm water discharges into the sanitary sewer system will be reviewed.
7. Proposals have been received for the preparation of two feasibility reports for two projects that would reduce the wastewater flow at the main lift station.

It was indicated that variances were previously approved to allow pumping into the sanitary sewer system due to extending circumstances. These will be reviewed to see if they would still apply.

Stores moved, Doyle seconded, that the proposal received from Bolton & Menk, Inc., be approved through Phase 3. These phases include: Project Workshop, Data Collection and Feasibility Report. All voted in favor of the motion.

REGULAR MEETING – JULY 16, 2001

Doyle moved, Sturrock seconded, to accept the Feasibility Report prepared by Bolton & Menk Inc., on the abandoning of Lift Station No. 3 and construction a new sanitary sewer interceptor. All voted in favor of the motion.

CHANGE ORDER – PROJECT 1998-002 INDUSTRIAL PARK IMPROVEMENT:

Rowe moved, Reynolds seconded, the approval of Change Order No. 3 for Project 1998-002 Industrial Park Improvement. This change order provides for the extension of contract time from June 15, 2001 to September 1, 2001. This extension of time is to allow the coordination of construction of the US Bank site with the final overlay of the access roads to this site. All voted in favor of the motion.

CHANGE ORDER – PROJECT 60300/S.A.P. 131-010-09, TRAFFIC CONTROL SIGNAL SYSTEM “C”/LYON STREET & T.H. 59:

Doyle moved, Sturrock seconded, the approval of Change Order No. 1 for Project 60300/S.A.P. 131-010-09, Traffic Control Signal System at “C”/Lyon Street & T.H. 59. This change order provides for an increase in the amount of \$21,362.64 as a result of the final quantities and measurements related to this project. All voted in favor of the motion.

VARIANCE ADJUSTMENT PERMIT – FIRST LUTHERAN CHURCH, 100 CHURCH ST:

Discussion was held at this time on the request from First Lutheran Church for a variance adjustment permit for 100 Church Street. This variance would provide for an addition to be constructed to First Lutheran Church with a 10-ft. front yard in lieu of 25-ft front yard as required in an R-1 One Family Residence District. First Lutheran Church is planning to construct an addition onto the east side of the existing church building. The entrance to the addition faces Church Street and is proposed to have a ground-supported canopy constructed within 5-ft. of the property line. Councilperson Boedigheimer indicated that the variance provides for a set back as the original building and that this would be acceptable with him. Councilperson Sturrock felt that there was no undue hardship. Per the recommendation of the Planning Commission, Rowe moved, Sturrock seconded, that the variance adjustment permit for First Lutheran Church at 100 Church Street be denied. Rowe and Sturrock voted in favor of the motion. Doyle, Byrnes, Reynolds, Boedigheimer and Stores voted no. The motion did not pass.

Boedigheimer moved, Reynolds seconded, the variance adjustment permit for First Lutheran Church at 100 Church Street be approved. All voted in favor of the motion, except Rowe and Sturrock who voted no.

AGREEMENT FOR LANDSCAPE ARCHITECTURAL DESIGN SERVICES WITH DAHLGREN SHARDLOW AND UBAN:

Harry Weilage, Director of Community Services, reviewed this agreement with the council. This agreement provides for Dahlgren Shardlow and Uban to assist the City through the process, prepare design development, and construction documents, bidding documents, as well as provide limited construction observation services for the Downtown Marshall Riverfront Park improvements. The estimated cost for this agreement is \$33,800. Councilperson Sturrock questioned why this was not budgeted for. Mayor Byrnes indicated that at the time the budget was prepared this cost was not know. It is proposed that this cost will be shared equally by

REGULAR MEETING – JULY 16, 2001

Schwan's and the "429" Account. Boedigheimer was concerned about closing Marvin Schwan Memorial Drive due to the construction of the park and this could cause problems. Reynolds moved, Stores seconded, the proper city personnel be authorized to enter into an agreement with Dahlgren Shardless and Uban for Landscape Architectural Design Services at a cost of \$33,800. All voted in favor of the motion.

WAYS AND MEANS COMMITTEE – DUTCH ELM TREE REIMBURSEMENT:

Boedigheimer moved, Doyle seconded, that the Dutch Elm Tree Reimbursement request be tabled. All voted in favor of the motion.

WAYS AND MEANS COMMITTEE – HUMANE SOCIETY OF LYON COUNTY:

Discussion took place at this time on the recommendations of the Ways and Means Committee in regard to the Animal Impound Facility. It was their recommendation that the Humane Society of Lyon County limit the number of kennel spaces to those that are contained within the facility as originally constructed, which is believed to be 12 for dog and 12 for cats.

Sara Runchey, an attorney representing the Humane Society, indicated to the council and others in attendance that there was no one from the Humane Society present at the Ways and Means Committee meeting due to the timing of the notice being received. Ms. Runchey stated that there is a contract, which provides for the Humane Society to manage the facility. Ms. Runchey also, stated that the facility is inspected by Glenn Korman, an agriculture specialist with the Minnesota Board of Animal Health, several times per year. Mr. Korman stated that the Animal Impound Facility is licensed for 40 dogs and 32 cats.

The Ways and Means Committee discussed the possibility of contributing up to \$92,000 to the Humane Society to relocate to another location. Naomi Spielmann indicated that a local contractor told her it would cost \$100,000 to \$125,000 to build a facility the size of the existing one.

Councilperson Boedigheimer did not feel that the city should take the initiative on this issue, but that the Human Society needs to provide some recommendations.

Sturrock moved, Reynolds seconded, that discussion on the Animal Impound Facility be referred back to the Ways and Means Committee and that a meeting date be set for August 22, 2001 at 4:30 P.M. All voted in favor of the motion.

A 5-minute recess was taken at this time.

WAYS AND MEANS COMMITTEE – REIMBURSABLE PROGRAM FOR SANITARY SEWER SHUT-OFF VALVES:

The council was updated on the discussion that took place by the Ways and Means Committee on the Reimbursable Program for Sanitary Sewer Shut-Off Valves. The previous program that the City used provides for the City to pay for the Shut-Off Valves and that the cost be placed as an assessment against the individual properties.

PROPOSED 2002 RENTAL TOWN HOME PROJECT – SW MINNESOTA HOUSING PARTNERSHIP:

Rowe moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2360, SECOND SERIES and that the reading of the same be waived. Resolution Number 2360, Second Series is a resolution of the Marshall City Council for the Support and Commitment of a Housing Development Project. Calvin Barnett, Director of General Services/City Assessor, indicated that the parcel of land was approximately 4 ½ acres and was located between Paris Road and Marshall Truss Company. All voted in favor of the motion.

SUPPORT OF UPSTREAM IMPROVEMENTS IN THE REDWOOD RIVER BASIN:

Doyle moved, Sturrock seconded, the adoption of RESOLUTION NUMBER 2361, SECOND SERIES and that the reading of the same be waived. Resolution Number 2361, Second Series is a Resolution In Support of Upstream Improvements in the Redwood River Basin. All voted in favor of the motion.

MAYOR AND COUNCIL MEMBER REPORTS:

Reports by the Mayor and Council members of the various boards and commissions were presented at this time:

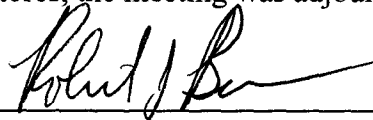
- Byrnes Fire Relief Association met last Tuesday – a copy of their report was given to the council; EDA the bids for 5 more homes were awarded; Regional Development Commission held their annual meeting at SSU.
- Stores Library Board met on the 9th but did not have a quorum – the discussed the GATE Grant for computers.
- Sturrock Cable Commission will meet on July 17th and the Utilities Commission will meet on July 24th.
- Boedigheimer Airport Commission minutes are included in the agenda packet; Senior Citizen Center Commission met on July 13th and talked about their budget; Lyon County Enterprise Development met on July 10th – Jackie Turner-Lovsness has resigned as director.
- Doyle Housing Commission met last Thursday; Human Rights Commission June minutes are included in the agenda packet; Convention and Visitors Bureau minutes are in the agenda packet; Marshall Area Transit will met next week.
- Rowe Planning Commission items were discussed earlier at the meeting; M.E.R.I.T. Center met last week had a discussion on name for fire tower being part of Fire Protection Week.
- Reynolds Hospital Board met earlier today – Pat Mellentin has moved out of the city limits.

REGULAR MEETING – JULY 16, 2001

COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Council members included: a concern about the number of kids running onto College Drive by Legion Field after balls; tree branches are too low by the sidewalks; there is a concern about the council over riding a commission recommendation; changing the entrance and exits for the parking lot by the Senior Center – one side entrance and one side exit; what will be the overall cost for the new park; no sidewalk along the Catholic Cemetery on East Main Street; the amount of lead time that the council receives on an issue; interviews need to be held for boards and commissions; an update was given on how the temporary liquor license will be used at the fair; the Utilities Board will discuss the ordinance on towers.

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



Mayor of the City of Marshall

ATTEST:



Financial Director/City Clerk

A special joint meeting of the Common Council of the City of Marshall and the Lyon County Commissioners was held on July 17, 2001 at the Marshall Golf Club. The meeting was called to order by Mayor Byrnes at 7:00 P.M. In addition to Byrnes the following members were present: Rowe, Sturrock, Stores, Reynolds, and Boedigheimer. Absent: Doyle. Staff present included: Calvin Barnett, Director of General Services/City Assessor; Glenn Olson, Director of Public Works/City Engineer; Rob Yant, Director of Public Safety; Harry Weilage, Director of Community Services; Brian Murphy, City Attorney; and Jane DeVries, Deputy City Clerk. County Commissioners present were: Bob Fenske, Clarence Buysse, Phil Nelson, Jerry Gladis and Mark Goodenow. County Staff included: Rick Maes, Attorney; Don Stokke, Sheriff; Dean Champine, Assessor; Todd Hammer, Planning and Zoning; Greg Lewis, Administrator; Paula VanOverbeke, Auditor; and Anita Benson, County Engineer.

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.

Before the meeting began the new County Administrator Greg Lewis and his wife Ruth and the new City Engineer Glenn Olson were introduced.

COMPREHENSIVE LAND USE UPDATE:

The county is continuing to work on its comprehensive plan as development continues between the City of Lynd and the City of Marshall along Highway 23.

JOINT LAW ENFORCEMENT/JAIL EXPANSION:

Don Stokke, Sheriff updated those in attendance on the jail expansion project. Construction should begin in 2002.

CONSTRUCTION PROJECTS/BRIDGES – COUNTY ROAD 33; COUNTY ROAD 67/HIGHWAY 23; PUBLIC WORKS BUILDING:

The construction on County Road 33 should be completed in August; the county is working with MN/DOT on traffic studies on sections of Highway 23, Highway 68 and also on Highway 59; and expansion is being worked on for the public works building.

RECREATION PROJECTS – TRAILS AND CAMPGROUNDS:

There was a discussion on not having a campground in Marshall. It was indicated that camping is allowed for certain events at the Lyon County Fairgrounds, but there is a need for camping throughout the year.

AIRPORT IMPROVEMENTS:

Councilmember Boedigheimer updated those in attendance on the \$7 million in improvements taking place at the Marshall Municipal Airport and Ryan Field. He also indicated that the next project would be the extension of the 5,010 foot runway. It is anticipated that Schwans will request the runway to be extended to 7,000 feet.

MERIT CENTER:

Councilmember Rowe indicated that work continues at the M.E.R.I.T. Center and that some of the facilities have been used for training. MMUA training center draws visitors to Marshall for their training program.

HOUSING STUDY/EDA HOUSING PROJECTS:

Calvin Barnett, Director of General Services/City Assessor, provided an update on the Housing Study/EDA Housing Project. He indicated that there are 40 lots available as part of the housing project.

ANIMAL IMPOUND FACILITY:

There was considerable discussion on the Lyon County Impound Facility. There continues to be problems with the noise and smell. It was the general consensus of everyone that the County, City and the Humane Society need to work together to find a solution to this problem.

GIS PROJECTS:

The county is continuing to work on upgrading the GIS Project.

REDISTRICTING:

The county has purchased a computer program to help with the redistricting. There is a concern that the census in the City of Marshall was not accurate and this will be reviewed. It was indicated that Paula VanOverbeke and Mike Johnson would need to work together on the redistricting.

6TH AND MAIN STREET – PARKING, CROSS WALK, STOP SIGNS:

There was considerable discussion on the increased traffic on West Main Street in the area of 6th Street. This increase is from the jump in semi-truck traffic to Heartland Foods and Schwan's Sales Enterprises Inc., and the increase in more county and state services being located at the Lyon County Government Center. Discussion included parking along South 6th Street; and the possibility of cross walks and stop signs being installed.

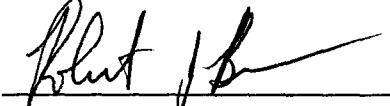
FLOOD CONTROL PROJECT UPDATES:

Mayor Byrnes took this opportunity to inform those in attendance that the Flood Control Project worked as it was designed to work and that there were no problems with flooding in Marshall this year.

RECREATION PROJECT – COMMUNITY CENTER:

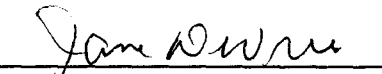
Harry Weilage, Director of Community Services, provided a brief update on the status of the Community Center. He indicated that the committee met earlier this evening and discussed the naming of the Community Center.

It was the general consensus that the meeting be adjourned at 9:00 P.M.



Mayor of the City of Marshall

ATTEST:



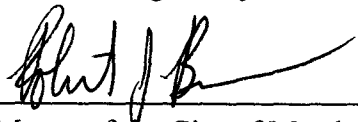
Deputy City Clerk

SPECIAL MEETING – JULY 23, 2001

The special meeting of the Common Council of the City of Marshall was held on July 23, 2001 in the Council Chambers of the Marshall Municipal Building. The meeting was called to order at 8:00 A.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Boedigheimer, Doyle, Sturrock and Stores. Absent: Rowe and Reynolds. Staff present included: Michael Johnson, City Administrator; and Jane DeVries, Deputy City Clerk.


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 Holy Redeemer Church to be used at Lyon County Fairgrounds, Marshall, Minnesota August 12, 2001 and that the 30-day waiting period be waived. All voted in favor of the motion.

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



Mayor of the City of Marshall

ATTEST:



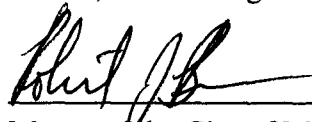
Deputy City Clerk

SPECIAL MEETING – JULY 30, 2001

A special meeting of the Common Council of the City of Marshall was held on July 30, 2001 in the Council Chambers of the Marshall Municipal Building. The meeting was called to order at 5:15 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Rowe, Doyle, Sturrock, Boedigheimer and Stores. Absent: Reynolds. Staff present included: Michael Johnson, City Administrator; and Thomas M. Meulebroeck, Finance Director/City Clerk. Jeanette Aguirre, Transit Coordinator from Western Community Action Inc., was also in attendance at the meeting.

The purpose of this special meeting was for the City Council to certify a dollar amount that is included as the city's local share of operating revenue for the calendar year 2001 that is derived from property taxes and is used for public transit. Jeanette Aguirre, Transit Coordinator for Western Community Action, Inc., has devoted many hours to the study of the property tax replacement aid as it relates to those monies allocated for transit operations. Jeanette shared with the City Council information that she has learned from the property replacement aid and also reviewed the Marshall Area Transit analysis including revenues, local share, MN/DOT share, other fund grants for the year 1998 through 2000 and year-to-date 2001. The Marshall Area Transit Advisory Committee had reviewed property tax replacement aid and the transit statistics and it was the recommendation of the Advisory Committee to recommend to the City Council to certify \$23,000.00 as the local share of operating revenue for 2001 that is derived from the property taxes, therefore Doyle moved, Stores seconded, that the City Council certify to the State of Minnesota that the City of Marshall's local share for the operating revenue for the calendar year 2001 that is derived from property taxes for public transit is \$23,000.00. MAT advised the City Council that in prior years there were able to allocate monies that they received from the various agencies to the various transit operations that they manage and that these funds from the Area Agency on Aging and will no longer be available for off setting costs of the various transit operations that they manage. All voted in favor of the motion, except Boedigheimer who voted no.

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



Mayor of the City of Marshall

ATTEST:



Finance Director/City Clerk

REGULAR MEETING – AUGUST 6, 2001

The regular meeting of the Common Council of the City of Marshall was held on August 6, 2001 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, Sturrock, Reynolds, Boedigheimer and Stores. Absent: none. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Glenn Olson, Director of Public Works/City Engineer; Thomas M. Meulebroeck, Finance Director/City Clerk; and Jane DeVries, Deputy City Clerk.

The Pledge of Allegiance was recited at this time.

APPROVAL OF THE AGEND:

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

APPROVAL OF THE MINUTES:

Rowe moved, Doyle seconded, that the minutes of the regular meeting be held on July 16, 2001, the special meetings held on July 17, 2001, July 23, 2001 and July 30, 2001 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 - AUTHORIZATION TO ATTEND IAAO CONFERENCE; AUTHORIZATION TO ATTEND IACP CONFERENCE; BILLS/PROJECT PAYMENTS; BUILDING PERMITS:

Rowe moved, Stores seconded, and it was unanimously approved that the following consent items be approved:

A request for out-of-state travel for Calvin Barnett to attend the IAAO Conference in Miami Beach, Florida from September 8, 2001 through September 12, 2001.

A request for out-of-state travel for Rob Yant to attend the IACP Conference in Toronto Canada from October 27, 2001 through October 31, 2001.

The following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 29613 through 29941.

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

	Applicant	Location Address	Description of Work	Valuation
1.	True Value Home Center	215 Oslo Avenue	Dwelling	\$92,200
2.	True Value Home Center	214 Rainbow Drive	Dwelling	\$93,600
3.	True Value Home Center	216 Rainbow Drive	Dwelling	\$90,400
4.	True Value Home Center	215 Rainbow Drive	Dwelling	\$89,900
5.	True Value Home Center	217 Rainbow Drive	Dwelling	\$91,500
6.	Robert Avey	313 West Main Street	Install Signs	\$1,000
7.	Steven Baumann Construction	603 Elaine Avenue	Reroof Dwelling	\$3,500

REGULAR MEETING – AUGUST 6, 2001

8.	Steven Baumann Construction	304 Sunrise Lane	Reroof Dwelling	\$2,500
9.	Marcia Bowman	106 West Maple Street	Partial Reroof	\$800
10.	Gary Becker	213 DeSchepper Street	Install Window	\$1,000
11.	Bernard Wing	712 South Fourth Street	Reroof Dwelling	\$650
12.	Geske Building & Supply Co.	1102 Washington Avenue	Reside Dwelling	\$7,700
13.	Geske Building & Supply Co.	203 North High Street	Install Window	\$4,300
14.	Jon & Lora Kruger	1306 Parkside Drive	Install Window	\$800
15.	Luell D. Miller	223 West Main Street	Install Awning & Reroof	\$10,100
16.	G&P Construction, Inc.	606 Genesis Avenue	Dwelling	\$112,000
17.	G&P Construction, Inc.	506 Genesis Avenue	Dwelling	\$97,000
18.	Nohava Construction, Inc.	302 O'Connell Street	Reroof	\$11,200
19.	Roger Bell	108 North 4th Street	Replace Windows, Reroof and Interior Remodeling	\$16,000
20.	G&P Construction, Inc.	504 Genesis Avenue	Dwelling	\$98,000
21.	Daniel A. Wyffels	108 Park Avenue	Finish Basement	\$1,500
22.	Premier Painting & Construction	612 Kathryn Avenue	Addition	\$23,000
23.	Leo Bass	1302 Parkside Drive	Replace Windows	\$5,000
24.	Katie Kor	600 West Lyon Street	Reroof Dwelling	\$3,000
25.	Brian & Tammy Coudron	602 Kossuth Avenue	Replace Windows	\$11,000
26.	Minnetonka Plumbing Co., Inc.	1501 State Street	Chiller Replacement / Science & Technology Building	\$828,500
27.	Brad Knutson	1217 East College Drive	Enclosure Wall	\$9,000
28.	True Value Home Center	226 Oslo Avenue	Dwelling	\$98,000
29.	True Value Home Center	224 Oslo Avenue	Dwelling	\$94,000
30.	True Value Home Center	219 Rainbow Drive	Dwelling	\$105,000
31.	Customworks Construction Services	614 Kendall Street	Kitchen Remodel	\$2,000
32.	Customworks Construction Services	104 East Marshall Street	Bathroom Repair	\$3,000
33.	Todd & Kelly Konietzko	602 Viking Drive	Enclose Porch	\$5,700
34.	Cyril Schroeder	602 West Lyon Street	Addition	\$18,000
35.	Corey Towne	700 North 4th Street	Basement Remodel	\$1,000
36.	Thomas Sawchak	619 Camden Drive	Replace Door	\$100
37.	Nohava Construction, Inc.	707 North 6th Street	Reroof Apartment Building	\$3,000
38.	David Spartz	107 "C" Street	Addition & Install Windows	\$35,000
39.	Chauncey Welvaert	208 East Lyon Street	Reside Dwelling & Install Windows	\$9,000

REGULAR MEETING – AUGUST 6, 2001

40.	George J. Jacob Construction	113 Donita Avenue	Residing dwelling	\$7,000
41.	Bladholm Construction, Inc.	208 West Marshall Street	Church Addition	\$393,800
42.	THROM, LLC	327 Timberlane Drive	Manufactured Home Installation	
43.	THROM, LLC	303 Timberlane Drive	Manufactured Home Installation	
44.	THROM, LLC	119 Lilac Drive	Manufactured Home Installation	
45.	THROM, LLC	105 Lilac Drive	Manufactured Home Installation	
46.	THROM, LLC	106 Lilac Drive	Manufactured Home Installation	

GRANT AGREEMENT WITH MINNEOSTA DEPARTMENT OF PUBLIC SAFETY:

Jody Gladis, Detective Marshall Police Department, reviewed with the council the two Public Safety grants that will be used to fund the SW Gang Strike Force. The first grant is for \$40,000 per year for two years to subsidize the wages and benefits of Detective Jody Gladis; and the second grant is for \$86,085 per year for two years and is used to fund the administrative support for the Strikeforce including the Administrative Aide Kari Schuld. Stores moved, Sturrock seconded, that the proper city personnel be authorized to enter into a Grant Agreement with the Minnesota Department of Public Safety for two grants in the amount of \$80,000 and \$172,170 effective July 1, 2001. All voted in favor of the motion.

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 2001. Buck reviewed the impact that Medicare has had on the Marshall service and how it will affect the future.

PARTNERSHIP AGREEMENT WITH THE MUNICIPAL UTILITIES:

Sturrock moved, Doyle seconded, the approval of the Partnership Agreement for 2002 between the City of Marshall and the Marshall Municipal Utilities. This agreement is for the payments/charges between the City of Marshall and Marshall Municipal Utilities for the calendar year 2002. A summary of the agreement is as follows:

MMU payment in lieu of taxes	\$804,457
Less street lighting charges to be	
Paid to MMU (1)	\$151,000
Less fire protection charges (1)	\$145,000
Net payment to City after charges	
Paid to MMU and transfer	\$508,457

All voted in favor of the motion.

RESOLUTION CANCELLING THE OFFER OF A CONTRACT – PROJECT 2001-001, 2001-002, 2001-003:

D&C Dozing of Montevideo, Minnesota failed to execute the construction contract awarded for Project No. 2001-001, Rainbow Drive Watermain Replacement; 2001-002, "H" Street Watermain Replacement; and 2001-003, West Main Street Watermain Replacement, therefore Brian Murphy, City Attorney, has recommended the canceling of the contract and to collect on their bid bond. These projects will be included with the 2002 projects. Doyle moved, Stores seconded, the adoption of RESOLUTION NUMBER 2362, SECOND SERIES and that the reading of the same be waived. Resolution Number 2362, Second Series is a resolution Canceling the Offer of a Contract with D&C Dozing of Montevideo, Minnesota for Project No. 2001-001, Rainbow Drive Watermain Replacement; 2001-002, "H" Street Watermain Replacement; and 2001-003, West Main Street Watermain Replacement. All voted in favor of the motion.

ESCROW AGREEMENT AND ASSIGNMENT ON PROJECT 2000-002, TRUNK HIGHWAY 19 AND COUNTY ROAD 7 UTILITY EXTENSION PROJECT:

Rowe moved, Reynolds seconded, the proper city personnel be authorized to enter into an agreement with GM Contracting, Inc., and MinnStar Bank for an Escrow Agreement and Assignment for Project 2002-002, Trunk Highway 19 and County Road 7 Utility Extension Project. This is the procedure of escrow allowed by State Law and opted for by the Contractor in lieu of the City's normal retainage to our construction contracts. The City retains the rights to the escrow until final approval of the project. All voted in favor of the motion.

CHANGE ORDER NO. 1 AND CHANGE ORDER NO. 2 – PROJECT 2000-002, TRUNK HIGHWAY 19 AND COUNTY ROAD 7 UTILITY EXTENSION PROJECT:

Sturrock moved, Stores seconded, the approval of Change Order No. 1 with GM Contracting Inc., for Project 2000-002 Trunk Highway 19 and County Road 7 Utility Extension Project. This change order provides for a decrease in the amount of \$25.78 due to the installation of a 10" watermain along the south side of T.H. 19 and along the east side of County Road 7 using directional drilling methods in lieu of open cut excavation as specified in the contract. All voted in favor of the motion.

Rowe moved, Doyle seconded, the approval of Change Order No. 2 with GM Contracting Inc., for Project 2000-002 Trunk Highway 19 and County Road 7 Utility Extension Project. This change order provides for an increase in the amount of \$8,915.12 to reflect the addition of two valve manholes on 10" watermain. All voted in favor of the motion.

CHANGE ORDER NO. 1 – PROJECT 2000-40130 PARKWAY HOUSING ADDITION:

Doyle moved, Sturrock seconded, the approval of Change Order No. 1 with R & G Construction Co., for Project 2000-40130 Parkway Housing Addition. This change order provides for an increase in the amount of \$7,776.81 to reflect the installation of water and sewer services to the proposed residential building complex on the north side of Paris Road. All voted in favor of the motion.

ADVERTISE FOR BIDS FOR S.A.P. 139-121-02 KOSSUTH AVENUE BRIDGE:

Stores moved, Reynolds seconded, the proper city personnel be authorized to advertise for bids for Project No. S.A.P. 139-121-02 the Kossuth Avenue Bridge Replacement (Bridge No. 42J00). The estimated cost of this project is \$449,481 of which \$123,340 will be funded from State Aid Funds and \$326,141 will be funded through the State of Minnesota Bridge Fund (Bridge Bonding). All voted in favor of the motion.

CHANGE ORDER NO. 7 – M.E.R.I.T. CENTER PROJECT – FIRE TRAINING TOWER:

Reynolds moved, Doyle seconded, the approval of Change Order No. 7, M.E.R.I.T. Center Project – Fire Training Tower. This change is for work relating to the concrete pad around the stairway. This change order provides for an increase in the amount of \$1,146.55. All voted in favor of the motion.

APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS:

Per the recommendation of Mayor Byrnes, Stores moved, Reynolds seconded, and it was unanimously approved that the following appointments be made to the various boards and commissions and to readvertise for the remaining positions:

Community Services Board – Teresa Kock for a term to expire on February 28, 2003
Human Rights Commission – Cheryl McChesney for a term to expire on May 31, 2002
Library Board – Sandar Erxleben for a term to expire on December 31, 2001
Planning Commission – Bill Keehr for a term to expire on May 31, 2004

MAYOR AND COUNCIL MEMBERS REPORTS:

Reports by the Mayor and Council members of the various boards and commissions were presented at this time:

- Byrnes EDA will meet next week – they held an open house on Tuesday and Thursday at two of the homes in Parkway Housing Project; Regional Development Commission reported the temporary closing of the Prairie Expo Center in Worthington.
- Stores Library Board will meet next Monday.
- Sturrock Utilities Commission minutes are included in the agenda packet; Cable Commission no meeting.
- Boedigheimer Airport Commission meets on August 13th; Senior Citizen Center Commission has not met; Lyon County Enterprise Development meets on July 24th and reported the director will not be resigning.
- Doyle Housing Commission minutes are included in the agenda packet; Human Rights Commission - there will be a conference on Understanding Somali Culture & Islamic Values on August 23rd; Marshall Area Transit met on July 24th.

REGULAR MEETING – AUGUST 6, 2001

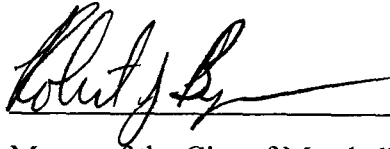
Rowe Community Services Advisory Board met last Wednesday; Planning Commission will be meeting this Wednesday.

Reynolds Hospital Board will meet later this month.

COUNCILPERSON INDIVIDUAL ITEMS:

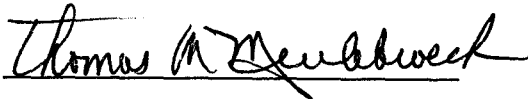
Other items on concern brought forth by the Mayor and Council members included: construction has started on the turn lanes on Highway 23 & Saratoga; advertising for the various boards and commission members should be included on cable TV; there is still a concern on the number of potholes on various streets within the City of Marshall; the weeds and tree branches hanging over the sidewalk are an issue along Lyon and Bruce Street; the county has the same concerns as the city in regard to the speed limit along Hwy 23; the easement for the wind generators will not be renewed and they will be removed; the Lyon County Fair will be held Thursday through Sunday, August 9 – 12, 2001; it was noted that the Boy Scouts from Troop 320 were in attendance at the meeting.

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



Mayor of the City of Marshall

ATTEST:



Financial Director/City Clerk

Financial Director/City Clerk

REGULAR MEETING – AUGUST 20, 2001

The regular meeting of the Common Council of the City of Marshall was held on August 20, 2001 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; Glenn Olson, Director of Public Works/City Engineer; Thomas Meulebroeck, Finance Director/City Clerk; Rob Yant, Director of Public Safety; Harry Weilage, Director of Community Services; Marc Klaith, Fire Chief; 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 as presented.

APPROVAL OF THE MINUTES:

Doyle moved, Stores seconded, that the minutes of the regular meeting held on August 6, 2001 be approved as corrected and as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

AWARD OF BIDS:

Bids were received, opened and read on July 23, 2001 for a 2000 G.P.M. Pumper Fire Truck for the Marshall Fire Department. Bids received, opened and read were as follows:

NAME	ACK. ADD. #1	BID SECURITY	BID AMOUNT			
			PROPOSAL A	PROPOSAL B	PROPOSAL C	
					5-Year	6-Year
Clarey's Safety Equipment, Inc. Attn: Kim Clarey Cascade Industrial Park 3555 9 th St. NW Rochester, MN 55901 800-558-8009 OR 800-624-5526 507-289-6749 / FAX: 507-289-5213						
Clarey's Safety Equipment, Inc. (Pierce) Attn: Paul Teeuwen 317 6 th Ave. W. Alexandria, MN 56308 320-762-8177 Phone & FAX	X	Bid Bond	Alt#1 \$279,995.00 \$6,250.00 \$286,245.00	Trade-In \$279,995.00 - 10,000.00 \$269,995.00 Alt#1 \$6,250.00 \$276,245.00	w/Trade-In \$61,871.13 \$59,661.41 Alt#1 \$6,250.00	w/Trade-In \$52,985.47 \$51,093.10 Alt#1 \$6,250.00
Custom Fire Apparatus Attn: Kathy 509 - 68 th Ave. Osceola, WI 54020 715-294-2555 / FAX: 715-294-2168	X	Bid Bond	Alt#1 \$289,980.00 \$2,775.00 \$292,755.00	Trade-In \$289,980.00 - 10,000.00 \$279,980.00 Alt#1 \$2,775.00 \$282,755.00	\$62,256.92 Alt#1 \$2,775.00	\$53,184.33 Alt#1 \$2,775.00
Danko Emergency Equipment Co. Attn: Tim Zehnder 514 E. 2 nd St. N. Truman, MN 56088 507-776-8277 / Cell: 507-381-0792						
Danko Emergency Equipment Co. P.O. Box 248 Snyder, NE 68664 800-228-9014						
General Safety Equipment Attn: Steven A. Harris, Sales Manager 25900 Fallbrook Ave. Wyoming, MN 55092 651-462-1000 / FAX: 651-462-1700	X	Bid Bond	Alt#1 \$297,709.00 \$2,742.00 \$300,451.00	Trade-In \$297,709.00 - 5,000.00 \$292,709.00 Alt#1 \$2,742.00 \$295,451.00	\$66,580.70 Alt#1 \$2,742.00	\$57,075.00 Alt#1 \$2,742.00
Heiman Fire Equipment, Inc. 213 3 rd St., P.O. Box 42 Lyons, SD 57041						
Heiman Fire Equipment, Inc. Attn: Dick Adkins P.O. Box 185 Egan, SD 57024 605-997-3759						
Jeff Rhein 13915 Lincoln St. NE, Suite D Ham Lake, MN 55304 763-767-7247						

The specifications allow for bidding as follows:

Proposal A:	Pumper Truck Only
Proposal B:	Pumper Truck less Trade-In
Proposal C:	Lease Terms
Alternate #1	Air Conditioning for Cab

REGULAR MEETING – AUGUST 20, 2001

NAME	BID SECURITY	BID AMOUNT	COMMENTS
"ALEX" Air Apparatus, Inc. Attn: Cory Berglin 11670 Forada Beach Rd. SE Alexandria, MN 56308 800-264-2320 / FAX: 320-763-9077 Cell: 320-766-1289	Business Check	\$56,783.00	Includes \$350.00 Shipping costs.
Clarey's Safety Equipment, Inc. Attn: Kim Clarey Cascade Industrial Park 3555 9 th St. NW Rochester, MN 55901 800-558-8009 OR 800-624-5526 507-289-6749 / FAX: 507-289-5213			
Clarey's Safety Equipment, Inc. (Pierce) Attn: Paul Teeuwen 317 6 th Ave. W. Alexandria, MN 56308 320-762-8177 Phone & FAX	Bid Bond	\$57,504.00	
Custom Fire Apparatus Attn: Kathy 509 - 68 th Ave. Osceola, WI 54020 715-294-2555 / FAX: 715-294-2168			
Danko Emergency Equipment Co. Attn: Tim Zehnder 514 E. 2 nd St. N. Truman, MN 56088 507-776-8277/ Cell: 507-381-0792			
Danko Emergency Equipment Co. P.O. Box 248 Snyder, NE 68664 800-228-9014	Cashier's Check	\$25,856.35	
Front Line Plus Fire & Rescue Attn: Tom Green, President 8004 Aetna Ave. N.E. Monticello, MN 55362 800-879-3177 / FAX: 763-295-3650	Cashier's Check	\$18,250.00	Prices are FOB – Factory shipping charges added to final upon delivery to dept.
General Safety Equipment Attn: Steven A. Harris, Sales Manager 25900 Fallbrook Ave. Wyoming, MN 55092 651-462-1000 / FAX: 651-462-1700	10%	\$58,364.53	
Heiman Fire Equipment, Inc. 213 3 rd St., P.O. Box 42 Lyons, SD 57041			
Heiman Fire Equipment, Inc. Attn: Dick Adkins P.O. Box 185 Egan, SD 57024 605-997-3759	No Bid Security *	\$29,657.51	* Heiman did not submit bid security, so bid was not read. They indicated per Chief Klaith no bid security required.
Jeff Rhein 13915 Lincoln St. NE, Suite D Ham Lake, MN 55304 763-767-7247			

Mark Klaith, Fire Chief; and Rob Yant, Director of Public Safety; were in attendance at the meeting and reviewed these bids with the council. It was indicated that the pumper and all of the equipment that was being replaced would be taken to the M.E.R.I.T. Center and could be used as a backup if needed. Boedigheimer moved, Sturrock seconded, the bid for the 2000 G.P.M. Pumper Fire Truck be awarded to General Safety Equipment, Wyoming, Minnesota in the amount of \$297,709 base bid and \$2,742 for the air conditioning and a discount of \$3,421 for a total of \$297,030; the bid for the Fire Apparatus Equipment to "Alex" Air Apparatus, Inc., in the amount of \$56,783 and for the installation of a new radio in the amount of \$3,500 to be purchased from Motorola. All voted in favor of the motion.

REGULAR MEETING – AUGUST 20, 2001

CONSENT AGENDA: CONSIDER APPROVAL OF APPLICATION FOR A ONE-DAY BEER LICENSE FOR THE SSU ALUMNI ASSOCIATION ON OCTOBER 6, 2001 AT MATTKE FIELD; PARADE REQUEST FOR THE "PURSUIT OF EXCELLENCE" – SOUTHWEST MINNESOTA MARCHING FESTIVAL TO CLOSE MAIN STREET TO FIRST STREET AND FIRST STREET TO MARVIN SCHWAN MEMORIAL DRIVE ON SEPTEMBER 22, 2001 FROM 10:30 A.M. – 12:00 NOON; BILLS/PROJECT PAYMENTS; BUILDING PERMITS:

Rowe moved, Doyle seconded, and it was unanimously approved that the following consent items be approved:

A Temporary On-Sale Non-Intoxicating Beer License for the SSU Alumni Association for use at Mattke Field on October 6, 2001.

That Main Street be closed from 6th Street to First Street and First Street be closed from Main Street to Marvin Schwan Memorial Drive on Saturday, September 22, 2001 from 10:30 A.M. to 12:00 noon for the "Pursuit of Excellence" Southwest Minnesota Marching Festival.

The following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 29942 through 30150.

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

Applicant	Location Address	Description of Work	Valuation
1. Weiner Memorial Medical Center	300 South Bruce Street	Hospital Remodeling - Phase IV Final	\$613,800
2. Raul Oaxaca	329 West Main Street	Install Signs	\$1,000
3. Ryan Besse	1236 Patricia Court	Basement Remodel	\$1,000
4. Warren H. & Wanda Y. Dahl	302 "A" Street	Garage	\$11,000
5. Sarah Archbold	409 North 4th Street	Replace Porch & Install Patio Door	\$2,000
6. ABC Seamless of Redwood Falls	707 Elaine Avenue	Reside Dwelling	\$7,200
7. Geske Building & Supply Co.	511 West Thomas Avenue	Reside Dwelling	\$7,500
8. Steven & Carolyn Bennett	215 North Hill Street	Reside Dwelling	\$5,300
9. Denny Miller Construction, Inc.	603 West Marshall Street	Reroof & Install Bathroom	\$6,300
10. Denny Miller Construction, Inc.	812 East Southview Court	Reroof	\$6,900
11. Myra Radermacher	105 Walker Lane	Replace Windows	\$5,000
12. Mike Buysse Construction	803 Cheryl Avenue	Reside Dwelling	\$5,500

CONSIDER THE REQUEST OF RANDY AND JULIE BAHN FOR A VARIANCE ADJUSTMENT PERMIT TO CONSTRUCT AN ADDITION TO AN ACCESSORY BUILDING WITH A FRONT YARD OF LESS THAN REQUIRED BY CODE IN R-1 ONE FAMILY RESIDENCE DISTRICT AT 906 WILLOW AVENUE:

Per the recommendation of the Planning Commission, Boedigheimer moved, Reynolds seconded, the approval of a Variance Adjustment Permit to construct an addition to an accessory building with a front yard of less than required by code in an R-1 one family residence district at 906 Willow Avenue for Randy and Julie Bahn. Sturrock felt that there was no undue hardship. All voted in favor of the motion, except Sturrock who voted no.

CONSIDER THE REQUEST OF THE MARSHALL PUBLIC HOUSING COMMISSION FOR A VARIANCE ADJUSTMENT PERMIT TO CONSTRUCT PARKING WITHIN THE REQUIRED REAR YARD IN AN R-4 HIGHER-DENSITY MULTIPLE-FAMILY RESIDENCE DISTRICT AT 202 NORTH 1ST STREET:

Per the recommendation of the Planning Commission, Rowe moved, Stores seconded, the approval of a Variance Adjustment Permit to construct parking within the required rear yard in an R-4 higher-density multiple family residence district at 202 North 1st Street for the Marshall Public Housing Commission. This permit will provide for parking within 10' of the rear property line. All voted in favor of the motion.

SOUTHWEST REGIONAL DEVELOPMENT COMMISSION – JAY TRUSTY, EXECUTIVE DIRECTOR:

Mr. Jay Trusty the new Executive Director of the Southwest Regional Development Commission was in attendance at the meeting to introduce himself. There was no action taken on this item.

AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE AIRPORT ARRIVAL/DEPARTURE BUILDING:

Gary Schmidt, Airport Commission Chairman, was in attendance at the meeting and provided a complete overview of the Airport Arrival/Departure Building. Boedigheimer moved, Reynolds seconded, that the proper city personnel be authorized to advertise for bids for the Airport Arrival/Departure Building at the Marshall Municipal Airport. These bids are to be received on September 28, 2001. All voted in favor of the motion.

RESOLUTION DECLARING OFFICIAL INTENT REGARDING THE REIMBURSEMENT OF EXPENDITURES WITH THE PROCEEDS OF TAX-EXEMPT BONDS – (MUNICIPAL AIRPORT HANGAR):

Doyle moved, Stores seconded, the adoption of RESOLUTION NUMBER 2363, SECOND SERIES and that the reading of the same be waived. Resolution Number 2363, Second Series is a resolution Approving Declaration of Official Intent Regarding the Reimbursement of Expenditures with the Proceeds of Tax-Exempt Bonds. The principal amount of the debt expected to be issued will not exceed \$500,000.00. All voted in favor of the motion.

APPROVAL OF TECHNOLOGY SERVICES PROPOSAL WITH MARSHALL PUBLIC SCHOOL DISTRICT NO. 413:

Steve O'Connor, Marshall High School Director of Instruction, and Todd Pickthorn, District Network Services Coordinator; were in attendance at the meeting to review the proposal from Marshall School District No. 413 outlining the role that they would play with the City in developing a vision of how our network of computers could be operated within a managed platform. They would also assist the City in developing and implementing a network that provides automated services and reduces individual service costs on workstations. Reynolds moved, Doyle seconded, that the proper city personnel be authorized to enter into the

REGULAR MEETING – AUGUST 20, 2001

Technology Services Proposal with the Marshall Public School District No. 413 from July 1, 2001 through December 31, 2001 at a cost of \$10,000. All voted in favor of the motion.

RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS FOR TIGER LAKE STORM WATER LIFT STATION FORCEMAIN RELOCATION PROJECT:

At this time Dan Sarff, Bolton and Menk, reviewed with the council the plans for the Tiger Lake Storm Water Lift Station Forcemain Relocation Project. It was indicated that this project would cost approximately \$450,000. Sturrock moved, Stores seconded, the adoption of RESOLUTION NUMBER 2364, SECOND SERIES and that the reading of the same be waived. Resolution Number 2364, Second Series is a resolution Approving Plans and Specifications and Ordering Advertisement for Bids for the Tiger Lake Storm Water Lift Station Forcemain Relocation Project. These bids will be received on September 14, 2001. All voted in favor of the motion.

A 5-minute recess was called at this time.

RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS FOR DEMOLITION OF COMMUNITY CENTER SITE:

Doyle moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2365, SECOND SERIES and that the reading of the same be waived. Resolution Number 2365, Second Series is a resolution Approving Plans and Specifications and Ordering Advertisement for Bids for the Community Center Side Demolition Project. Bids for this project are to be received on September 7, 2001 at 10:00 A.M.. All voted in favor of the motion.

RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS FOR DEMOLITION OF BREYFOGLE SITE:

Rowe moved, Sturrock seconded, the adoption of RESOLUTION NUMBER 2366, SECOND SERIES and that the reading of the same be waived. Resolution Number 2366, Second Series is a resolution Approving Plans and Specifications and Ordering Advertisement for Bids for the Breyfogle Property Demolition Project. Bids for this project are to be received on August 31, 2001 at 10:00 A.M. City Attorney Brian Murphy indicated that this piece of property will be vacated by September 1, 2001. All voted in favor of the motion.

CHANGE ORDER NO. 1 FOR PROJECT 2000-010: WASTEWATER TREATMENT IMPROVEMENTS (EFFLUENT FILTERS AND SLUDGE STORAGE):

Stores moved, Doyle seconded, the approval of Change Order No. 1 for Project 2000-010 Wastewater Treatment Improvements, Effluent Filters and Sludge Storage. This change order provides for a decrease in the contract amount of \$81.00 and an increase in the contract time of seven (7) days. These changes are due to the contractor request to facilitate pipes/sleeves installation, unsuitable soils uncovered and severe weather. All voted in favor of the motion.

CONSIDER AUTHORIZATION TO ADVERTISE FOR BIDS FOR STATE AID OVERLAY PROJECTS:

Reynolds moved, Sturrock seconded, the proper city personnel be authorized to advertise for bids for State Aid Overlays Project No. 2001-011. This project includes Country Club Drive from T.H. 23 to T.H. 59; East Lyon Street from South Bruce Street to T.H. 23; and South 4th Street from Elaine Avenue to Country Club Drive. All voted in favor of the motion.

APPROVAL OF EASEMENT AGREEMENT – PROJECT 2000-002: T.H. 19 AND COUNTY ROAD 7 UTILITY EXTENSION PROJECT (SANITARY SEWER AND WATERMAIN TO AIRPORT):

Doyle moved, Sturrock seconded, the approval of an Easement Agreement with Helena Chemical Company in the amount of \$2,809.88. This easement is needed in connection with Project 2000-002 T.H. 19 and County Road 7 Utility Extension Project (Sanitary Sewer and Watermain to Airport). All voted in favor of the motion.

MAYOR AND COUNCIL MEMBERS REPORTS:


Reports by the Mayor and Council members of the various boards and commissions were presented at this time:

- Byrnes EDA minutes are included in the agenda packet; Fire Relief Association and Regional Development Commission have not met.
- Stores Library Board has not met; Historical Society has met and discussed their budget.
- Sturrock Cable Commission met last week the franchise renewal is in process; Utilities Commission will meet on Tuesday.
- Boedigheimer Airport Commission minutes are included in the agenda packet; Senior Citizen Center Commission discussed their budget and have a signed petition to repair the parking lot by their building.
- Doyle Housing Commission and Convention & Visitors Bureau minutes are included in the agenda packet; Human Rights Commission will be meeting next Monday; Marshall Area Transit will be meeting on Tuesday.
- Rowe Planning Commission minutes are included in the agenda packet.
- Reynolds Hospital Board met earlier this evening.

COUNCILPERSON INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Council members included: lights by the tennis courts keep going on and off; there has been less noise from the pool area this year; there is a concern about the traffic on Kennedy Street by Holy Redeemer School and on East Lyon Street by Parkside School; sidewalks on West Main Street need to be repaired; the Planning Commission needs to discuss the boundary area of the Downtown Central Business District.

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



Mayor of the City of Marshall

ATTEST:



Financial Director/City Clerk

REGULAR MEETING – SEPTEMBER 4, 2001

The regular meeting of the Common Council of the City of Marshall was held on September 4, 2001 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 by Byrnes, the following members were present: Doyle, Rowe, Sturrock, Reynolds, Boedigheimer and Stores. Absent: none. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Glenn Olson, Director of Public Works/City Engineer; 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.

APPROVAL OF THE AGENDA:

It was the general consensus of the council that the agenda be approved with the deletion of item 3a which was an application for a temporary beer license for the Marshall Amateur Hockey Association; that item 2 which is the awarding of bids for the Breyfogle Property Demolition Project be tabled; and item 6a which is Change Order No. 1 for Project 2001-001, Hangar No. 1 Construction be tabled.

APPROVAL OF THE MINUTES:

Rowe moved, Stores seconded, that the minutes of the regular meeting held on August 20, 2001 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

APPROVAL OF CONSENT AGENDA - CONSIDER APPROVAL OF APPLICATION FOR A TEMPORARY ON-SALE LIQUOR LICENSE FOR THE SSU FOUNDATION ON SATURDAY, OCTOBER 27, 2001; CONSIDER APPROVAL OF APPLICATION FOR A TEMPORARY ON-SALE BEER LICENSE FOR THE BASEBALL ASSOCIATION ON SATURDAY, SEPTEMBER 29, 2001 AT LEGION FIELD; AUTHORIZATION TO ATTEND NCEA CONFERENCE; BILLS/PROJECT PAYMENTS; BUILDING PERMITS:

Doyle moved, Sturrock seconded, and it was unanimously approved that the following consent items be approved:

A Temporary On-Sale Liquor License for the SSU Foundation for the Galla Ball to be held at Southwest State University on October 27, 2001. The fee for this license is \$25.00.

A Temporary On-Sale beer License for the Baseball Association for the SSU Baseball Classic on September 29, 2001 at Legion Field. The fee for this license is \$25.00.

Out-of-state travel for Harry Weilage, Director of Community Services, to attend the National Community Education Fall Conference in Charleston, South Carolina from November 17-20, 2001.

The following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 30151 through 30363.

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

Applicant	Location Address	Description of Work	Valuation
1. Scott VanOverbeke	412 North 3rd Street	Remodel Roof	\$2,000
2. Doom & Cuypers, Inc.	202 North 1st Street	Relocate Garage	\$14,000
3. Dennis Ivey	801 North 5th Street	Reroof Dwelling	\$2,300

REGULAR MEETING – SEPTEMBER 4, 2001

4.	H. Clyde Pedersen	601 Lawrence Street	Repair Deck	\$500
5.	Babcock Construction	103 Kathryn Avenue	Reside Dwelling	\$4,300
6.	Gregory D. & Kathy Flack	811 Viking Drive	Sunroom Addition	\$10,000
7.	Eugene & Margaret Stassen	513 South 1st Street	Reroof Dwelling	\$3,800
8.	Joyce M. Eischens & Louise E. Eischens	406 Donita Avenue	Replace Doors	\$800
9.	Culligan Water Conditioning	301 East College Drive	Temporary Transportable Sign	\$0
10.	Leroy Signs	1310 Madrid Street	Signs	\$14,000
11.	Olson & Johnson International	503 North Highway 59	Sign	\$500
12.	R&G Construction Co.	1708 West College Drive	Move-In Hangar	\$110,000
13.	R&G Construction Co.	1710 West College Drive	Move-In Hangar	\$110,000
14.	R&G Construction Co.	1712 West College Drive	Move-In Hangar	\$100,000
15.	True Value Home Center	220 Oslo Avenue	Dwelling	\$85,000
16.	True Value Home Center	222 Oslo Avenue	Dwelling	\$89,900
17.	Independent School District #413	207 North 4th Street	Storage Building	\$4,000
18.	Karl Hanson	614 West Redwood Street	Repair Porch	\$2,500
19.	Dan Jacobson	1101 Travis Road	Garage Addition	\$5,000
20.	Brad Cauwels	400 Williams Street	Reside Dwelling	\$1,100
21.	Radio Shack	1115 East College Drive	Temporary Transportable Sign	\$0
22.	Lonny & Wanda Sowden	206 West Southview Drive	Reroof	\$1,500
23.	Geske Building & Supply Co.	304 Elm Street	Install Door	\$1,550

RESOLUTION PROVIDING FOR TRAFFIC CONTROL SIGNAGE AT VARIOUS LOCATIONS THROUGHOUT THE CITY - LEGION FIELD ROAD AND KENDALL STREET; JAMES AVENUE AT VIKING DRIVE AND DESCHEPPER STREET; O'CONNELL STREET AT MARKET STREET; SHERMAN AVENUE AND CARLSON STREET; KENNEDY STREET:

Stores moved, Sturrock seconded, the adoption of RESOLUTION NUMBER 2367, SECOND SERIES and that the reading of the same be waived. Resolution Number 2367, Second Series is a resolution Providing for Control Signage in the City of Marshall. This resolution provides for the following:

1. Removal of the "Yield" sign on the westbound leg of Kendall Street at the intersection of Kendall Street and Legion Field Road.
2. Installation of a "Stop" sign on the westbound leg of Kendall Street at the intersection of Legion Field Road and Kendall Street.
3. Removal of the "Stop" sign on the southbound leg of Legion Field Road at the intersection of Kendall Street and Legion Field Road.
4. Installation of a "Yield" sign on the northbound leg of Viking Drive at the intersection of Viking Drive and James Avenue.
5. Removal of the "Stop" sign on the northbound leg of DeSchepper Street at the intersection of James Avenue and DeSchepper Street
6. Installation of a "Yield" sign on the northbound leg of DeSchepper Street at the intersection of James Avenue and DeSchepper Street.
7. Installation of a "Stop" sign at the northeast exit from the Market Street Mall.

REGULAR MEETING – SEPTEMBER 4, 2001

8. Installation of a “Do Not Enter” sign at the north end merge lane (one way) at the intersection of Mall Street and O’Connell Street.
9. Installation of a “Stop” sign on the southbound leg of O’Connell Street at the intersection of Mall Street and O’Connell Street.
10. Installation of “4-Way” plates under all “Stop” signs at the intersection of Mall Street and O’Connell Street.
11. Installation of a “Stop” sign on the northbound leg of Kennedy Street at the intersection of Central Avenue and Kennedy Street.

All voted in favor of the motion.

CHANGE ORDER NO. 2 (FINAL) – PROJECT 2000-004: WILKE-MILLER-BUESING FIRST ADDITION IMPROVEMENT PROJECT:

Rowe moved, Reynolds seconded, the approval of Change Order No. 2 (Final) for Project 2000-004 Wilke-Miller-Buesing First Addition. This change order provides for an increase of \$7,309.98 due to the final quantities and measurements. All voted in favor of the motion.

CONSIDERATION OF CHANGE ORDER FOR AIRPORT PROJECTS - CHANGE ORDER NO. 1 – PROJECT 2001-005: TERMINAL AREA IMPROVEMENTS:

Boedigheimer moved, Reynolds seconded, the approval of Change Order No. 1 for Project 2001-005 Terminal Area Improvements. This change order is necessary for adjustments to existing contract for work including light standards for new T-hangar site, temporary parking lot for Hangar No. 1, conduit from A/D Building to Hangar No. 2 for communication, and removal of bituminous surfacing and foundations at T-Hangar No. 5 for future A/D Building. The cost of this change order is \$18,710.00. All voted in favor of the motion.

REQUEST FROM LYON COUNTY TO THE CITY OF MARSHALL TO SUPPORT LEASE REVENUE BONDS FOR PUBLIC WORKS/HOUSEHOLD HAZARDOUS WASTE FACILITY:

Mike Johnson, City Administrator, reviewed with the council the request from Lyon County for the City of Marshall to use its Economic Development Authority to issue \$1.5 million in lease revenue bonds to fund part of the cost of the proposed approximate \$3.2 million facility. Mr. Johnson indicated that the financial advisors for the city stated that the city’s EDA could issue the bonds with no material risk to the city or EDA. Mr. Johnson also indicated that the EDA could pursue this project on its own but the project would require a joint powers agreement between the city and the county in order to proceed. Boedigheimer moved, Sturrock seconded, that the request from Lyon County for the City of Marshall to use its Economic Development Authority to issue \$1.5 million in lease revenue bonds to fund part of the cost of the proposed approximate \$3.2 million facility be referred to the Ways and Means Committee. All voted in favor of the motion.

MAYOR AND COUNCIL MEMBERS REPORTS:

Reports by the Mayor and Council members of the various boards and commissions were presented at this time:

Byrnes EDA has not met; Regional Development Commission will meet on Thursday, September 13th.

Stores Library Board meets next Monday.

Sturrock Cable Commission there will be a public hearing on the cable franchise on September 17th; Utilities Commission held a special meeting – discussed purchasing 2 new dual turbines.

Boedigheimer Airport Commission reviewed the changes orders that the council acted on earlier in the meeting; Senior Citizen Center Commission, Lyon County Enterprise

REGULAR MEETING – SEPTEMBER 4, 2001

Development, and Legislative & Ordinance Committee have not met; Ways and Means Committee meets on Tuesday.

- Doyle Housing Commission had not met; Human Rights Commission minutes are included in the agenda packet; Convention & Visitors Bureau had not met; Marshall Area Transit met last week.
- Rowe Community Services Advisory Board met on Tuesday; Planning Commission meets next Wednesday; M.E.R.I.T. Center the council had a tour of the fire tower and apparatus building.
- Reynolds Downtown Redevelopment several of the downtown businesses have started remodeling projects.

COUNCIL MEMBER INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Council members included: the census count; transient merchants licenses needs to be discussed at the next Legislative and Ordinance Committee meeting; the stop signs at Elaine and South 4th Street; County Road 33 Project is completed; there was a concern with city employees mowing at a City Park on a Sunday; the need for concrete at the M.E.R.I.T. Center; there will be an open house at the training center and a display of city equipment at MMU on Saturday, October 6th after the SSU Parade.

REVIEW OF PENDING AGENDA ITEMS:

There will be a budget meeting at 7:00 P.M. on September 11, 2001.

City Administrator Michael Johnson, reviewed with the council the News Release in regard to Jennie-O-Foods and Heartland Foods Co., (Food Processing Plant) v. Lyon County. He indicated that the judge's ruling on the taxable value of Heartland Foods Inc., will cost the City of Marshall approximately \$100,000.

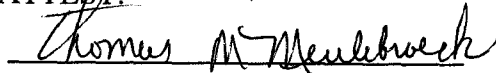
Mike Johnson also took this opportunity to thank Doug Goodmund and the Community Services Staff for the leadership and hard work this past weekend for the Softball Tournament.

Thomas M. Meulebroeck, Finance Director/City Clerk, indicated that the property and liability insurance renewal is due October 1, 2001.

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


Mayor

ATTEST:


Financial Director/City Clerk

SPECIAL MEETING – SEPTEMBER 11, 2001

A Special Meeting of the Common Council of the City of Marshall was held on September 11, 2001 in the Cottonwood Room 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, Sturrock, Reynolds, Boedigheimer and Stores. Absent: Doyle. Staff present included: Michael Johnson, City Administrator; Harry Weilage, Director of Community Services; Glenn Olson, Director of Public Works/City Engineer; and Thomas M. Meulebroeck, Finance Director/City Clerk.

The purpose of this special meeting was to review the preliminary 2002 General Fund Budget and to consider the adoption of the proposed general fund budget for 2002 and the adoption of the preliminary tax levy for the year 2002. Mike Johnson, City Administrator, reviewed with the city council the items addressed in his September 8, 2001 memo to the city council including the legislative changes that have occurred this year (state takeover of the general education property tax levies of school districts; state property tax to be applied to commercial, industrial and cabin property; substantial changes to the property tax classification system; the elimination of HACA; LGA formula changes; market value homestead credit changes; levy limits imposed for 2002 and 2003; special levies outside of levy limits; truth-in-taxation changes; transit property tax replacement aid and takeover; and various miscellaneous tax provisions) that have effected the preparation of the proposed budget and has made it slightly more cumbersome in organizing the budget and tax levy for 2002. In the preliminary tax levy there is a provision for the city to include in the levy a special levy for the increase in employer PERA contributions for all coordinated members under the PERA. The amount that has been determined for the city's share of increase PERA including the library is \$7,150.

Rowe moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2368, SECOND SERIES and that the reading of the same be waived. Resolution Number 2368, Second Series is a resolution Adopting the Proposed Budget for the General Fund for the City of Marshall for the year 2002. The proposed budget for the general fund provides for the revenues of \$8,697,771 and expenditures of \$9,865,126 of which the revenues are supported with a tax levy of \$2,267,993. All voted in favor of the motion.

Boedigheimer moved, Stores seconded, the adoption of RESOLUTION NUMBER 2369, SECOND SERIES and that the reading of the same be waived. Resolution Number 2369, Second Series is a resolution Adopting a Preliminary Tax Levy for the year 2002. The proposed levy is in the amount of \$2,552,696 of which \$2,267,993 is the General Fund portion of the levy and includes the Debt Service Levy of \$277,553 and a Special Levy for the employer's portion of the increase of PERA Contribution for coordinated members including the library of \$7,150. All voted in favor of the motion.

SPECIAL MEETING – SEPTEMBER 11, 2001

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



Mayor of the City of Marshall

ATTEST:



Financial Director/City Clerk

REGULAR MEETING – SEPTEMBER 17, 2001

The regular meeting of the Common Council of the City of Marshall was held on September 17, 2001 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, Sturrock, Reynolds, and Boedigheimer. Absent: Stores. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Glenn Olson, Director of Public Works; City Engineer; Thomas M. Meulebroeck, Finance Director/City Clerk; Calvin Barnett, Director of General Services/City Assessor; Marc Klaith, 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:

Reynolds moved, Rowe seconded, that the minutes of the regular meeting held on September 4, 2001 and the special meeting held on September 11, 2001 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 – BREYFOGLE PROPERTY DEMOLITION PROJECT:

Bids were received, opened and read on August 31, 2001 at 10:00 A.M. for the Breyfogle Property Demolition Project as follows:

Jim Brey Construction	D & G Excavating Inc.	Thompson Excavating
Marshall, Minnesota	Marshall, Minnesota	Minneota, Minnesota
\$13,850.00	\$18,030.00	\$19,025.00

Rowe moved, Doyle seconded, that the bid for the Breyfogle Property Demolition Project be awarded to Jim Brey Construction, Marshall, Minnesota in the amount of \$13,850.00. All voted in favor of the motion.

AWARD OF BIDS – COMMUNITY CENTER SITE DEMOLITION PROJECT:

Bids were received, opened and read on September 7, 2001 at 10:00 A.M. for the Community Center Site Demolition Project as follows:

Thompson Excavating	Blue Earth Environmental
Minneota, Minnesota	Mankato, Minnesota
\$98,541.00	\$99,800.00

D & G Excavating	Diamond 5 Construction
Marshall, Minnesota	Hutchinson, Minnesota
\$103,424.75	\$133,790.00

James Brey Construction
Marshall, Minnesota
\$194,052.00

REGULAR MEETING – SEPTEMBER 17, 2001

Doyle moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2371, SECOND SERIES and that the reading of the same be waived. Resolution Number 2371, Second Series is a resolution awarding the bid for the Community Center Site Demolition Project to Thompson Excavating, Minneota, Minnesota in the amount of \$98,541.00 contingent upon the purchase of the property being completed. All voted in favor of the motion.

AWARD OF BIDS – KOSSUTH BRIDGE REPLACEMENT PROJECT 2001-014:

Bids were received, opened and read on September 11, 2001 at 10:00 A.M. for the Kossuth Bridge Replacement Project 2001-014 as follows:

Midwest Contracting, Inc.	R & G Construction Co.
Marshall, Minnesota	Marshall, Minnesota
\$277,615.20	\$290,910.30

Rowe moved, Sturrock seconded, the adoption of RESOLUTION NUMBER 2372, SECOND SERIES and that the reading of the same be waived. Resolution Number 2372, Second Series is a resolution awarding the bid for the Kossuth Bridge Replacement Project 2001-014 to Midwest Contracting, Inc., Marshall, Minnesota in the amount of \$277,615.20. The funding for this bridge is coming from the Bridge Bonding Funds in the amount of \$220,887.00 and Municipal State Aid Funds in the amount of \$94,228.20. All voted in favor of the motion.

AWARD OF BIDS – TIGER LAKE STORM WATER LIFT STATION FORCEMAIN RELOCATION PROJECT 2001-013:

Bids were received, opened and read on September 14, 2001 at 10:00 A.M. for the Tiger Lake Storm Water Lift Station Forcemain Relocation Project 2001-013 as follows:

H & W Contracting, LLC	Gaub, Inc.
Sioux Falls, South Dakota	Olivia, Minnesota
\$488,933.02	\$494,001.24

GM Contracting Inc.	Duininck Bros., Inc.
Lake Crystal, Minnesota	Prinsburg, Minnesota
\$559,236.01	\$591,355.80

Doyle moved, Boedigheimer seconded, the adoption of RESOLUTION NUMBER 2373, SECOND SERIES and that the reading of the same be waived. Resolution Number 2373, Second Series is a resolution awarding the bid for the Tiger Lake Storm Water Lift Station Forcemain Relocation Project 2001-013 to H & H Contracting, LLC, Sioux Falls, South Dakota, in the amount of \$488,933.02 with the condition that there be a pre-award meeting held with representatives from H & W Contracting, city staff and Bolton & Menk staff to review the project scope and to assure that H & W Contracting fully understands the project requirements. All voted in favor of the motion.

AWARD OF BIDS – STATE AID OVERLAY PROJECT 2001-011:

Bids were received, opened and read on September 14, 2001 at 10:30 A.M. for the State Aid Overlay Project 2001-011 for the following areas:

S.A.P. 139-122-04 Country Club Drive from T.H. 23 to T.H. 19
S.A.P. 139-123-06 East Lyon Street from South Bruce Street to T.H. 23

REGULAR MEETING – SEPTEMBER 17, 2001

S.A.P. 139-124-02 South 4th Street from Elaine Avenue to Country Club Drive
The bids received were as follows:

Duininck Bros., Inc.
Prinsburg, Minnesota
\$337,297.26

McLaughlin & Schulz, Inc.
Marshall, Minnesota
\$346,219.45

Sturrock moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2374, SECOND SERIES and that the reading of the same be waived. Resolution Number 2374, Second Series is a resolution awarding the bid for the State Aid Overlay Project 2001-01 to Duininck Bros in the amount of \$337,297.26. All voted in favor of the motion.

CONSENT AGENDA – BILLS/PROJECT PAYMENTS; BUILDING PERMITS:

Rowe moved, Reynolds seconded, and it was unanimously approved that the following consent items be approved:

The following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 30364 through 30568.

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

	Applicant	Location Address	Description of Work	Valuation
1	True Value Home Center	303 East Thomas Avenue	Dwelling	\$198,000
2	True Value Home Center	216 Oslo Avenue	Dwelling	\$88,000
3	True Value Home Center	217 Oslo Avenue	Dwelling	\$88,000
4	True Value Home Center	218 Oslo Avenue	Dwelling	\$88,000
5	Three Seasons and More	1207 Horizon Drive	Three-Season Porch	\$9,500
6	Jon & Lora Kruger	1306 Parkside Drive	Garage Addition	\$7,900
7	Schwan's Sales Enterprises, Inc.	212 Rainbow Drive	Dwelling	\$112,500
8	Steve Tutt Construction	510 Central Avenue	Reroof	\$5,100
9	Steve Tutt Construction	1509 Westwood Drive	Reroof	\$4,500
10	Randy & Jan Parde	202 Robert Street	Addition	\$10,000
11	George J. Jacob Construction	702 South Bruce Street	Reroof Garage	\$1,200
12	Alydia Schwartz	112 George Street	Reside Dwelling	\$2,500
13	Pride Neon, Inc.	1001 North Highway 23	Install Signs	\$3,000
14	Pride Neon, Inc.	1200 East Main Street	Install Signs	\$11,000
15	Schwan's Sales Enterprises, Inc.	209 Rainbow Drive	Dwelling	\$92,500
16	Denny Miller Construction, Inc.	1006 Woodfern Drive	Garage Addition	\$11,500
17	Brian & Nancy Kor	233 West Main Street	Install Canopy, Reroof, Building Addition	\$64,100
18	Ken's Karpentry & Krafts	300 Donita Avenue	Deck	\$2,000
19	Fairview Development	401 South Hill Street	Reroof	\$4,000
20	Homestead Development Co.	810 West Fairview Street	Office Building	\$53,000

REGULAR MEETING – SEPTEMBER 17, 2001

21	Wayne VanLerBerghe	113 West Southview Drive	Replace Door	\$900
22	Hisken Construction, Inc.	907 Pine Street	Reroof Dwelling	\$6,900
23	Greig & Gregerson	349 West Main Street	Replace Door	\$300
24	Greig & Gregerson	318 West College Drive	Reroof Dwelling	\$1,000
25	Greig & Gregerson	436 West Main Street	Replace Windows & Repair Exterior	\$3,000

REQUEST FOR CONDITIONAL USE PERMIT FIVE-YEAR RENEWAL FOR C. G. RICHESON AT 1203 WESTWOOD DRIVE:

Upon the recommendation of the Planning Commission, Rowe moved, Reynolds seconded, that a Conditional Use Permit for Charlie Richeson be approved for renewal for 5 years for a home occupation of a Technical Services Business at 1203 Westwood Drive. This permit was approved with the following conditions:

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

All voted in favor of the motion.

REQUEST FOR A CONDITIONAL USE PERMIT FOR A JAMES C. CARR AT 1000 EAST SOUTHVIEW DRIVE:

A discussion was held at this time on the request for a conditional use permit for a public school in a B-4 Shopping Center Business District at 1000 East Southview Drive. Boedigheimer was concerned about the parking being shared with other businesses and Sturrock was concerned with the sale of beer being so close. Boedigheimer moved, Doyle moved, the approval of the request of James C. Carr for a Conditional Use Permit for a Public School in a B-4 Shopping Center Business District at 1000 East Southview Drive with the following conditions:

1. The use be limited to not more than 100 students in grades 9 through 12 and staff directly supporting those students.
2. The area of the building being used as a school be limited to 16,200 S.F.
3. This Conditional Use Permit is subject to approval by the Council for any other businesses located within the building for the purpose of determining compatibility of these businesses with this use.

Rowe was concerned with locating a school in this area. All voted in favor of the motion, except Rowe who voted no.

REQUEST FOR A CONDITIONAL USE PERMIT FOR JAMES WUEBKER/MARSHALL SPAS AND POOLS AT 401 SOUTH HIGHWAY 23:

Per the recommendation of the Planning Commission, Rowe moved, Doyle seconded, the approval of a Conditional Use Permit for Jim Wuebker/Marshall Spas and Pools to construct a self storage warehouse at 401 South Highway 23. All voted in favor of the motion.

PRELIMINARY PLAT FOR BROADMOOR VALLEY ADDITION:

Sturrock moved, Reynolds seconded, the approval of a Preliminary Plat for Broadmoor Valley Addition and called for a public hearing, which will be held at 7:30 P.M. on October 1, 2001. All voted in favor of the motion.

RESOLUTION DELETING ASSESSMENT ROLLS – PROJECT 2001-001 RAINBOW DRIVE WATERMAIN REPLACEMENT; PROJECT 2001-002 “H” STREET WATERMAIN REPLACEMENT; PROJECT 2001-003 WEST MAIN WATERMAIN REPLACEMENT PROJECT:

Doyle moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2375, SECOND SERIES and that the reading of the same be waived. Resolution Number 2375, Second Series is a resolution Deleting the Assessment Roll for – Project 2001-001 Rainbow Drive Watermain Replacement; Project 2001-002 “H” Street Watermain Replacement; and Project 2001-003 West Main Watermain Replacement Project. All voted in favor of the motion.

CHANGE ORDER FOR AIRPORT PROJECT – PROJECT 2001-005 – 2001 TERMINAL AREA CONSTRUCTION:

Boedigheimer moved, Reynolds seconded, the approval of Change Order No. 2 with R & G Construction in the amount of \$155,049.00. This change order is for pavement removal, excavation, and structural backfill necessary for the construction of the Arrival/Departure building at the airport. All voted in favor of the motion.

CHANGE ORDER FOR AIRPORT PROJECT – PROJECT 2001-007 HANGAR NO. 1 CONSTRUCTION:

Boedigheimer moved, Reynolds seconded, the approval of Change Order No. G-2 with Nelson Construction Company in the amount of \$3,353.00. This change order is for additional excavation, gravel fill and supervision to relocate building; credit to revise roof panel finish to galvanized in lieu of factory painted finish; cost to add a pair of doors @ connector link to A/D Building; cost to thicken front edge of hangar apron to reduce the possibility of frost heave; and cost to relocate Door 100 per owners request. All voted in favor of the motion.

CHANGE ORDER FOR AIRPORT PROJECT – PROJECT 2001-007 HANGAR NO. 1 CONSTRUCTION:

Reynolds moved, Doyle seconded, the approval of Change Order No. M-1 with Tri State Mechanical, Inc., in the amount of \$3,760.00. This change order provides for the cost to add a combination eye wash/shower and hand wash sink in Hangar #1 as per the owners request. All voted in favor of the motion.

RESOLUTION ORDERING PREPARATION OF REPORT ON IMPROVEMENT PROJECT 2001-004 SOUTH HILL STREET/EAST MARSHALL STREET:

Rowe moved, Sturrock seconded, the adoption of RESOLUTION NUMBER 2376, SECOND SERIES and that the reading of the same be waived. Resolution Number 2376, Second Series is a resolution Ordering Preparation of Report on Improvement for Project 2001-004 South Hill Street/East Marshall Street for watermain, sanitary sewer, storm sewer, street, curb and gutter, and sidewalk. All voted in favor of the motion.

Doyle moved, Sturrock seconded, that the proper city personnel be authorized to enter into an agreement with Bolton & Menk, Inc., for the revising/updating of the Feasibility Report, which addresses the proposed improvements in the area of East Marshall Street and Hill Street. This agreement shall not exceed \$5,000. All voted in favor of the motion.

CONSIDER APPROVAL OF PROPERTY, AUTO, GENERAL LIABILITY, EXCESS LIABILITY, AIRPORT LIABILITY, AND BOILER INSURANCE RENEWALS FOR 2001-2002:

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 10-1-01 to 10-1-02. Sheldon indicated that new property is added to the insurance when the construction has been completed. Rowe moved, Doyle seconded, that the Property, General Liability and Excess Liability for the period October 1, 2001 to October 1, 2002 be renewed with the League of Minnesota Cities at a cost of \$ 225,209. All voted in favor of the motion.

Boedigheimer, moved, Sturrock seconded, that the Airport Liability for the period October 1, 2001 to October 1, 2002 be renewed with AIG at a cost of \$4,000. All voted in favor of the motion.

Boedigheimer moved, Doyle seconded, that the Boiler Insurance for the period October 1, 2001 to October 1, 2002 be renewed with Hartford Steam Boiler at a cost of \$10,401. All voted in favor of the motion.

PRELIMINARY DRAFT FOR PRIVATE REDEVELOPMENT:

At this time Calvin Barnett, Director of General Services/City Assessor, reviewed with the council and others in attendance the "preliminary draft" of the agreement for redevelopment by and between the City of Marshall and Schwan's Sales Enterprises for the proposed Community Center Project. Mr. Barnett also reviewed the proposed TIF Modification Budget Changes.

MARSHALL VOLUNTEER FIREFIGHTERS RELIEF ASSOCIATION – PRESENTATION OF 2000 AUDIT REPORT AND PROPOSED BY-LAW CHANGES:

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, 2000 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 and per the State of Minnesota Schedules I & II for Lump Sum Pension Plans of \$3,900 per year of service effective January 1, 2002. Rowe moved, Sturrock seconded, that the request for change in by-laws be referred to the Ways and Means Committee. All voted in favor of the motion.

A 5-minute recess was called at this time.

MERIT CENTER FINANCING REQUEST:

Discussion was held at this time on the request from the MERIT Center Steering Committee for additional funding from the City of Marshall. The MERIT Center Steering Committee had met to identify training venue priorities. They are looking for financial assistance to complete the concrete paving around the parameter area of the Fire Tower and adjacent to the Apparatus/Storage Maintenance Building. The MERIT Committee is requesting that \$25,000 be used from the funds that the city received from North Memorial on the ambulance transaction. Rowe moved, Doyle seconded, the approval of the \$25,000 being used to help finance the concrete paving around the perimeter area of the Fire Tower and adjacent to the Apparatus/Storage Maintenance Building. Boedigheimer was concerned that the city is always where everyone goes to for additional funding for their projects. All voted in favor of the motion.

REGULAR MEETING – SEPTEMBER 17, 2001

APPROVAL OF 2001-2002 AFSCME UNION CONTRACT:

Per the recommendation of the Personnel Committee, Reynolds moved, Sturrock seconded, that the AFSCME Union Contract be approved for the period January 1, 2001 through December 31, 2002. The changes to the contract include:

1. Article XI Insurance – amend agreement to cover 2001 and 2002.
2. Article XV Sick Leave – amend section 15.1 to include language that all new employees covered by the union contract that are hired after January 1, 2001 will have a cap on sick leave accumulation of 1200 hours.
3. Article XXI Clothing – this section is amended to cover job classifications as listed in Exhibit “A” of the agreement (would cover three positions not currently receiving clothing allowance). The dollar amount contained in this section would be increased from \$150 to \$250 in 2001 and from \$250 to \$350 in 2002. The issue associated with the type of work clothing that would be covered, its appearance, etc. should be referred to the City’s Labor/Management Committee to be worked out by way of a joint agreement.
4. Article XXV Duration – this section would be amended to read “This agreement shall be effective January 1, 2001 and shall remain in full force in effect until the 31st of December, 2002.”
5. Appendix “A” Wages – the wage schedules listed in Appendix A would provide for a 3.5% wage adjustment for 2001 and a 3.5% wage adjustment for 2002.

All voted in favor of the motion.

CALL FOR PUBLIC HEARING ON CABLE TV SERVICES:

Reynolds moved, Sturrock seconded, that a public hearing be held at 7:30 P.M. on October 1, 2001 to receive public input on cable television services and related interests. All voted in favor of the motion.

MAYOR AND COUNCIL MEMBERS REPORTS:

Reports by the Mayor and Council members of the various boards and commissions were presented at this time:

- Byrnes EDA met last week and they are continuing to do work on the Parkway Addition houses; they discussed the County Public works facility; and purchasing a parcel of land behind Tiger Lake; Regional Development Commission met last Thursday.
- Sturrock Cable Commission met last week; Utilities Commission minutes are included in the agenda packet.
- Boedigheimer Airport Commission met on September 10th; Senior Citizen Center Commission and Lyon County Enterprise Development has not met; Ways and Means will meet on Friday; and the Legislative and Ordinance Committee will meet on Tuesday.
- Doyle Housing Commission minutes are in the agenda packet; Human Rights, Convention & Visitors Bureau and Marshall Area Transit have not met.
- Rowe Community Services Advisory Board has formed 4 sub committees for the strategic planning.

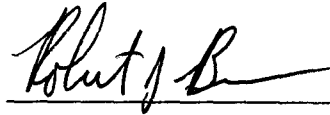
REGULAR MEETING – SEPTEMBER 17, 2001

Reynolds Hospital Board met earlier this evening and the minutes from the August 20th meeting are included in the agenda packet.

COUNCIL MEMBER INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Council members included: rezone the area of the Community Center; review of the ordinance on school parking – 1 parking space per class not enough; a concern with the parking along Southview by Ily-Vee; set at time for interviews for boards and commissions before the next meeting; set up dates and time for budget meetings; the flags along Main Street are taken care of by the American Legion; there will be a Regional League of Minnesota Cities meeting in Windom on October 23rd and in Canby on October 24th.

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



Mayor of the City of Marshall

ATTEST:



Financial Director/City Clerk

REGULAR MEETING – OCTOBER 1, 2001

The regular meeting of the Common Council of the City of Marshall was held on October 1, 2001 in the Council Chambers of the Marshall Municipal Building. The meeting was called to order at 7:35 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; Glenn Olson, Director of Public Works/City Engineer; Thomas M. Meulebroeck, Finance Director/City Clerk; and Jane DeVries, Deputy City Clerk.

The Pledge of Allegiance was recited at this time.

APPROVAL OF THE AGENDA:

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

APPROVAL OF THE MINUTES:

Rowe moved, Doyle seconded, that the minutes of the regular meeting held on September 17, 2001 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 – RENEWAL OF CALBE TELEVISION FRANCHISES TO MCLEOD USE TELECOM DEVELOPMENT, INC., AND CHARTER COMMUNICATIONS HOLDING COMPANY, LLC:

This was the date and time set for a public hearing to consider issues from the general public regarding the renewal of the cable television franchise. Beth Engel, General Manager of Charter Communications; and Kim Henspeter, service Technician from McLeod USA; were in attendance at the meeting. Brian Murphy, 605 Elaine Avenue, wanted to know if a customer gets credit for service when the lines are cut. Beth indicated that if there is no service for 24 hours that the customers will automatically get credit and if it is less than 24 hours a customer needs to call if they want credit. Councilperson Boedigheimer was concerned with having to reset his modem every week. Beth indicated that this not normal and that she would send some out to look at it. Beth Engel indicated that Charter has room for co-location of a community access studio and play back. Mr. Henspeter indicated that he would review this information with his supervisor. Doyle moved, Sturrock seconded, that the public hearing be closed. All voted in favor of the motion.

PUBLIC HEARING – PRELIMINARY PLAT OF BROADMOOR VALLEY ADDITION:

Glenn Olson, Director of Public Works/City Engineer, reviewed the preliminary plat of Broadmoor Valley Addition. Broadmoor Valley Addition is located behind Village Park and consists of two lots. There were not questions or concerns, therefore Rowe moved, Stores seconded, that the public hearing be closed. All voted in favor of the motion.

Doyle moved, Reynolds seconded, the approval of the Preliminary Plat for Broadmoor Valley Addition. All voted in favor of the motion.

REGULAR MEETING – OCTOBER 1, 2001

CONSENT AGENDA - CONSIDER APPROVAL OF APPLICATION FOR A TEMPORARY ON-SALE LIQUOR LICENSE FOR PRAIRIE HOME HOSPICE AT SSU ON JANUARY 26, 2002; CONSIDER APPLICATION FOR PLUMBER'S LICENSE FOR BERGMAN PLUMBING, INC.; AUTHORIZATION TO DISPOSE OF SURPLUS CITY PROPERTY; BILLS/PROJECT PAYMENTS; BUILDING PERMITS:

Reynolds moved, Stores seconded, and it was unanimously approved that the following consent agenda items be approved:

A Temporary On-Sale Liquor License for Prairie Home Hospice for a charity ball and auction to be held at Southwest State University on January 26, 2002. The fee for this license is \$25.00.

A Plumbers License for Christopher Bergman dba Bergman Plumbing Inc., Burnsville, Minnesota at a fee of \$50.00.

The approval to dispose of surplus City property at an auction to be held on October 18, 2001 at 5:30 p.m. at the Street Maintenance Building area at 901 Oak Street.

The following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 30569 through 30772.

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

Applicant	Location Address	Description of Work	Valuation
1. Melvin Welu	1300/1302 Charles Avenue	Install Windows	\$1,600
2. Mike Buysse Construction	813 West Southview Court	Three-Unit Apartment	\$150,000
3. Doom & Cuypers, Inc.	301 North High Street	Reroof	\$22,800
4. Dulas Construction, Inc.	1219 East College Drive	Repair Shop	\$135,000
5. Dakota Pacific Construction	1113 East College Drive	Remodel Retail Store	\$50,000
6. E&V Consultants & Construction Managers	504 Fairgrounds Road	Office & Waste Processing Building	\$2,903,300
7. Chad Springborg	612 West James Avenue	Finish Basement	\$2,000
8. Independent Lumber of Marshall, Inc.	301 Donita Avenue	Reside Dwelling	\$3,000
9. Geske Building & Supply Co.	407 South 1st Street	Residing	\$9,600
10. American Legion Post 113	412 West Main Street	Install Door, Reroof & Install Ventilation	\$27,600
11. Bladholm Construction, Inc.	307 West College Drive	Remodel Repair Area	\$160,000
12. French Construction	1106 East Main Street	Partial Reroof	\$5,400
13. George J. Jacob Construction	503 North Bruce Street	Reroof Dwelling	\$2,500
14. Brian West	1104 Skyline Drive	Reroof Dwelling	\$1,700
15. Jean Paul	320 West College Drive	Reroof Dwelling	\$900
16. THROM, LLC	203 Cedar Lane	Manufactured Home Installation	

REQUEST OF LYON COUNTY HISTORICAL SOCIETY TO CLOSE THIRD STREET FOR CHRISTMAS TREE WALK:

Rowe moved, Doyle seconded, that a public hearing be held at 7:30 P.M. on October 15, 2001 in the Council Chambers of the Marshall Municipal Building to consider the closing of Third Street for the Third Street Christmas Tree Walk. All voted in favor of the motion.

RESOLUTION TO EXECUTE MN/DOT GRANT AGREEMENT NO 81872 FOR AIRPORT MAINTENANCE AND OPERATION:

Stores moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2377, SECOND SERIES and that the reading of the same be waived. Resolution Number 2377, Second Series is a resolution providing Authorization to Execute Minnesota Department of Transportation Grant Agreement for Airport Maintenance and Operation. This agreement provides for up to \$47,082 of State Aid for the Marshall Municipal Airport direct actual maintenance. All voted in favor of the motion.

CHANGE ORDER FOR HANGAR NO. 2 CONSTRUCTION:

Doyle moved, Reynolds seconded, the approval of Changer Order No. G-1 with TerWisscha Construction Inc., in the amount of \$2,324.00. This change order is for a 2 ft. extension to the apron in front of Midwest Aviation's new hangar to match the concrete apron being done by a separate contract with the Terminal Area Improvements. All voted in favor of the motion.

RESOLUTION PROVIDING FOR CONTROL SIGNAGE:

Glenn Olson, Director of Public Works/City Engineer, reviewed with the council the proposed signage that is being recommended, which included the installation of School Zone Signing, yield signs, stop signs in various locations and the removal of a stop sign. There was considerable discussion on the "Bus Loading Zone – No Parking" signs that were to be installed at West Side Grade School, East Side Grade School and Junior High School. These signs would restrict parking during certain hours and could be removed during the summer. There was concern that when there were late starts at the schools that the parking restrictions would not be effective. The council felt that the stop sign on South 4th Street at Elaine Avenue should not be removed. There is a park in this area and felt that the traffic would be going to fast in this area. Doyle moved, Sturrock seconded, the adoption of RESOLUTION NUMBER 2378, SECOND SERIES and that the reading of the same be waived. Resolution Number 2378, Second Series is a resolution Providing for Control Signage in the City of Marshall. This resolution provides for the included the installation of School Zone Signing, a yield sign and stop signs in various locations. All voted in favor of the motion, except Boedigheimer who voted no.

ORDINANCE AMENDING CHAPTER 86 REGULATING THE ZONING FOR TOWERS AND ANTENNAS IN THE CITY OF MARSHALL:

Reynolds moved, Stores seconded, the introduction of an ordinance amending the City of Marshall City Code Chapter 86 regulating the zoning for towers and antennas in the City of Marshall and called for a public hearing. The public hearing will be held at 7:30 P.M. on October 15, 2001 in the Council Chambers of the Marshall Municipal Building. All voted in favor of the motion.

REGULAR MEETING – OCTOBER 1, 2001

MINNESOTA WEST COMMUNITY AND TECHNICAL COLLEGE BUILDING LEASE:

Rowe moved, Reynolds seconded, the approval of the Building Lease between the City of Marshall and Minnesota West Community and Technical College to lease space within the Marshall Municipal Building. This lease is for the July 1, 2000 through June 30, 2002. This lease has been modified to include the Redwood Room in the basement and one basement office in the Municipal Building. All voted in favor of the motion.

APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS:

Doyle moved, Reynolds seconded, and it was unanimously approved that the following people be appointed to the various boards and commissions and to readvertise for the openings on the Cable Commission, Housing commission, Police Civil Service Commission and Senior Citizen Center Commission:

Cable Television – Karen Meyer for the completion of a term to expire on May 31, 2002

Library Board – Victoria Cunfer for a term to begin January 1, 2002 and expire on December 31, 2004

Senior Citizen Center Commission – Frank DeSleer for a term to expire on May 1, 2004

Airport Commission – Dan Taft for the completion of a term to expire on May 31, 2002

MAYOR AND COUNCIL MEMBER REPORTS:

Reports by the Mayor and Council members of the various boards and commissions were presented at this time:

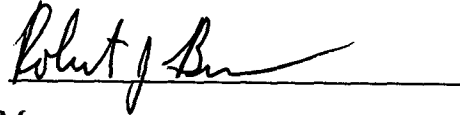
- Byrnes No report.
- Stores Library Board discussed the roof and use of the basement.
- Sturrock Utilities Commission discussed the two supply generators.
- Boedigheimer Airport Commission meets next week; Senior Citizen Center Commission has not met; Lyon County Enterprise Development met on September 25 and discussed the possibility of the facilitator doing work for Lincoln County; Ways and Means met on September 21.
- Doyle Housing Commission will meet next Monday; Human Rights Commission minutes are included in the agenda packet; Marshall Area Transit met last week but did not have a quorum.
- Rowe Lyon County Comprehensive Planning Project met and discussed drafts of the policies and goals.
- Reynolds Hospital Board will be meeting in two weeks.

REGULAR MEETING – OCTOBER 1, 2001

COUNCIL MEMBER INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Council members included: no area in town for campers to park on a temporary basis – the trailer park has space available if they chose to use it; Glenn gave an update on the sewer camera video; the census is still being worked on; a crosswalk on Bruce Street for the school children; SSU Homecoming is this week; Cities Week – there will be an open house at MMU Training Site; and the people on strike in front of the Municipal Building are State employees not City employees.

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



Mayor

ATTEST:



Financial Director/City Clerk

REGULAR MEETING – OCTOBER 15, 2001

The regular meeting of the Common Council of the City of Marshall was held on October 15, 2001 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, Sturrock, Reynolds, Boedigheimer and Stores. Absent: Doyle. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Glenn Olson, Director of Public Works/City Engineer; Thomas M. Meulebroeck, Finance Director/City Clerk; Rob Yant, Director of Public Safety; Harry Weilage, Director of Community Services; 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:

Rowe moved, Sturrock seconded, that the minutes of the regular meeting held on October 1, 2001 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 – REQUEST BY LYON COUNTY HISTORICAL SOCIETY TO CLOSE THIRD STREET:

This was the date and time set for a public hearing on the request of the Lyon County Historical Society to close one block of Third Street to promote the Christmas season by putting up trees and providing train-like rides. Elaine Conyers, Lyon County Historical Society, and Howard Miller, Schwans, were in attendance at the meeting and indicated that the location for the Christmas Tree Walk has been moved to the newly demolished Redwood River park area – former Breyfogle Auto lot with overflow into Southside of the park. Dr. Affolter was in favor of moving the Christmas Walk from Third Street to the park area. Councilperson Boedigheimer was concerned if the new area would be ready in time for the Christmas Tree Walk. It was indicated that it would be ready. Reynolds moved, Stores seconded, that the public hearing be closed. All voted in favor of the motion. Rowe moved, Stores seconded, that the Christmas Tree Walk be approved for the newly demolished Redwood River park area – former Breyfogle Auto lot with overflow into Southside of the park from December 15, 2001 to January 7, 2002. All voted in favor of the motion.

PUBLIC HEARING ORDINANCE AMENDING THE CITY OF MARSHALL CHAPTER 86 REGULATING THE ZONING FOR TOWERS IN THE CITY OF MARSHALL:

This was the date and time set for a public hearing on the ordinance amending Chapter 86 regulating the zoning for towers in the City of Marshall. Sturrock requesting the ordinance be amended as follows - changing the word section to ordinance under Sec. 86-309 no. 1 and no. 2. Sturrock moved, Reynolds seconded, the public hearing be closed. All voted in favor of the motion. Boedigheimer moved, Sturrock seconded, the adoption of ORDINANCE NUMBER 466, SECOND SERIES as amended and that the reading of the same be waived. Ordinance Number 466, Second Series is an ordinance regulating the use of towers and antennas in the City of Marshall. All voted in favor of the motion.

CONSENT AGENDA – BILLS/PROJECT PAYMENTS; BUILDING PERMITS:

Rowe moved, Reynolds seconded, and it was unanimously approved that the following consent agenda items be approved:

The following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 30773 through 30978.

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

	<i>Applicant</i>	<i>Location Address</i>	<i>Description of Work</i>	<i>Valuation</i>
1.	Four Seasons Companies	900 North Highway 59	Warehouse	\$48,000
2.	Vince Korver	803 DeSchepper Street	Storage Shed	\$1,000
3.	Shover Recreation Centers, Inc.	1417 East College Drive	Partition Work	\$6,000
4.	Mike Stoks	205 North High Street	Replace Entry Decks	\$1,200
5.	Patzer's, Inc.	411 West Main Street	Partial Replace Siding	\$700
6.	Dennis Lozinski	425 North 5th Street	Reroof	\$3,800
7.	Premier Painting & Construction	610 West Southview Drive	Addition	\$28,000
8.	Mark Graff	601 S. 2nd St.	Replace Windows	\$2,500
9.	DI Construction	801 North 5th Street	Reside Dwelling	\$5,000
10.	Babcock Construction	114 East Redwood Street	Reside Dwelling	\$4,400
11.	Geske Building & Supply Co.	603 West Marshall Street	Install Door	\$2,300
12.	Pettus Mechanical	1101 East Main Street	Install HVAC Unit	\$28,000
13.	Hess Properties	1411 East College Drive	Interior Remodel	\$2,000
14.	Geihl Construction, Inc.	1105 David Drive	Dwelling	\$250,000
15.	Steve Tutt Construction	906 Willow Lane	Garage Addition & Window Replacement	\$6,600

BLR DRUG TASKFORCE GRANT ADMINISTRATION:

Rob Yant, Director of Public Safety, indicated that the City of Redwood Falls Finance Department has been administering the BLR Drug Taskforce for the past three years, and before that it was administered by Brown County. Redwood Falls has indicated that they did not want to continue with this, partially because the state was going to change their administrative guidelines. These were being changed to the same as the Gang Strikforces and since the City of Marshall was administering the SW Gang Strikeforce it was suggested that the City of Marshall Finance/Clerk Department administer the BLR Drug Taskforce Grant. As part of the grant, \$1,200 or \$100 per month is allocated to pay for grant administration. Stores moved, Rowe seconded, that the City of Marshall be responsible for the BLR Drug Taskforce Grant Administration. All voted in favor of the motion.

MINNESOTA YOUTH INTERVENTION PROGRAM GRANT APPLICATION FOR CONTINUATION OF THE COMMUNITY PLUS PROGRAM:

Harry Weilage, Director of Community Services, reviewed this grant application. Mr. Weilage indicated that this program has allowed our juveniles to pay back or restore the

community by completing community service hours in various profit and non-profit sites. Stores moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2379, SECOND SERIES and that the reading of the same be waived. Resolution Number 2379, Second Series is a resolution sponsoring the Youth Intervention Program Grant for the continuation of the Community Plus Program. Matching funds on a two to one basis is required for this grant. This grant is in the amount of \$25,000. All voted in favor of the motion.

SPONSORING UNIT OF GOVERNMENT FOR AMERICAN ENGINEERING & TESTING, INC.:

Sturrock moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2380, SECOND SERIES and that the reading of the same be waived. Resolution Number 2380, Second Series is a Sponsoring Unit of Government Resolution for American Engineering & Testing, Inc. This resolution acknowledges the City of Marshall's support for Mr. Tom James dba American Engineering & Testing, Inc., loan application in the amount of \$60,000 to the Southwest Minnesota Foundation. All voted in favor of the motion.

RESOLUTION APPROVING FINAL PLAT FOR BROADMOOR VALLEY ADDITION:

Rowe moved, Stores seconded, the adoption of RESOLUTION NUMBER 2381, SECOND SERIES and that the reading of the same be waived. Resolution Number 2381, Second Series is a resolution Approving the Final Plat of Broadmoor Valley Addition. This plat was approved on the condition that all the fees be paid and that the spelling of the work addition be corrected on the plat. All voted in favor of the motion.

REQUEST TO REZONE BROADMOOR VALLEY ADDITION:

Per the request of Paul Schierhulz, Schierhulz, & Associates, Inc., Sturrock moved, Rowe seconded, the introduction of an ordinance to rezone Broadmoor Valley Addition (703 Genesis Avenue & 705 Genesis Avenue) from a R-5 Manufacturing Home Park District to an R-1 One Family Residence District and that a public hearing be held at 7:30 P.M. on November 5, 2001. All voted in favor of the motion.

REQUEST FOR VARIANCE ADJUSTMENT PERMIT FOR 1106 EAST LYON STREET:

Per the recommendation of the Planning Commission Boedigheimer moved, Reynolds seconded, the approval of a Variance Adjustment Permit for Rose & Ed Drury to construct an addition onto the rear of their dwelling with a rear yard of 25' in lieu of 30' (25% of the lot depth) as required by Code in an R-1 One Family Residence District at 1106 East Lyon Street due to the Drury's undue hardship of an error in the original construction of the home. All voted in favor of the motion.

ENVIRONMENTAL WORK AT BREYFOGLE AUTO SALES SITE – REQUEST FOR PROPOSALS AND SUBSEQUENT CONDITIONAL AUTHORIZATION TO PROCEED:

Glenn Olson, Director of Public Works/City Engineer, reviewed with the council the environmental work at the Breyfogle Auto Sales site in Marshall. Proposals are being requested for excavation work and well installation work. He is requesting that the work be done by proposals as the work is specialized in nature and will be under the direct inspection of Wenk Associates, Inc. Mr. Olson is also requesting that if the proposals are under \$25,000 that the council authorize work to begin immediately. Reynolds moved, Sturrock seconded, the proper city personnel be authorized to call for proposals and to proceed with the work if the proposals

REGULAR MEETING – OCTOBER 15, 2001

are less than \$25,000 for the excavation work and well installation work at the Breyfogle Auto Sales site, 109 West Main Street. All voted in favor of the motion.

WASTEWATER DISCHARGE PERMITS FOR INDUSTRIAL USERS:

Rowe moved, Reynolds seconded, the proper city personnel be authorized to enter into Wastewater Discharge Permits for SSE Manufacturing, Inc.; Heartland Foods Company; and Minnesota Corn Processors. These agreements address the discharge limitations and penalties according to the new Wastewater Ordinance as required by the City's NFDES Operating Permit. All voted in favor of the motion.

CHANGE ORDER PROJECT 2001-006 HANGAR NO. 2 CONSTRUCTION:

Reynolds moved, Boedigheimer seconded, the approval of Change Order No. E-1 with Mears Electric, Inc., in the amount of \$2,150.00. This change order is for relocating a transformer and installing electrical equipment to provide a service line from this transformer to the existing maintenance building as per MMU recommendations. All voted in favor of the motion.

CHANGE ORDER PROJECT 2000-008 LUCILLE STREET IMPROVEMENT:

Stores moved, Sturrock seconded, the approval of Change Order no. 1 (final) with Bartz Excavating in the amount of \$530.09. This change order is necessitated by the final quantities and measurements related to the Lucille Street Improvement Project. All voted in favor of the motion.

FARM LEASE FOR GARY DEUTZ FOR THE CROP YEAR 2002 AND 2003:

Boedigheimer moved, Stores seconded, the proper city personnel be authorized to enter into a Farm Lease Agreement with Gary Deutz for the crop year 2002 and 2003. The rent for this lease is \$816.00 of which \$408.00 is due on March 1, 2002 and \$408.00 is due on March 1, 2003. All voted in favor of the motion.

DRIVEWAY EASEMENT AGREEMENT WITH JOHN T. AND PENNY J. STEWART:

Stores moved, Sturrock seconded, the approval of a driveway easement with John T. and Penny J. Stewart. The Stewarts own a house which is located next to the Mortier's house and in order to get to these two houses the prior owner granted an easement along the west 25 feet of the parcel shown in the survey. During the Corp Project this road was moved to the east in order to locate the flood levy on the old roadway easement. The Stewarts have sold their house and it is necessary to have this document signed. Mr. Murphy is recommending that the city execute this document so that it conforms to the agreement between the city and the Mortier property. All voted in favor of the motion.

MAYOR AND COUNCIL MEMBER REPORTS:

Reports by the Mayor and Council members of the various boards and commissions were presented at this time:

Byrnes EDA will have a special meeting on October 16th; Regional Development Commission met last Thursday and discussed staffing issues.

Stores Library Board met on October 8th at the Cottonwood Library, October 15th at the Balaton Library and on October 17th they will meet at the Marshall Library.

REGULAR MEETING – OCTOBER 15, 2001

- Sturrock Cable Commission met last week; and the Utilities Commission will be meeting on October 16th.
- Boedigheimer Airport Commission minutes are included in the agenda packet; Senior Citizen Center Commission met on October 10th; and the Legislative and Ordinance Committee needs to change their meeting date.
- Rowe Community Services Advisory Board continues to work on the focus groups, they are continuing to work with the soccer group; Planning Commission items were acted on earlier; M.E.R.I.T. Center will be taking bids on the concrete work.
- Reynolds Hospital Board minutes are included in the agenda packet, they discussed a tobacco free campus, discussed conflict on Auxiliary membership; and discussed board members living outside of Marshall city limits. Rowe and Boedigheimer stated that this is a regional hospital but the board does not have to be a regional board.

COUNCIL MEMBER INDIVIDUAL ITEMS:

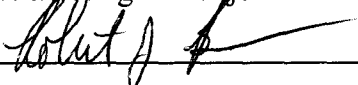
Other items of concern brought forth by the Mayor and Council members included: there was a good attendance at the employee breakfast; there was a large turn out at the open house at the fire department; the Air Force Band Concert at SSU was a success; Habitat for Humanity held a ground breaking ceremony; Cities week open house at MMUA was a success; and the council requested an update on filling the sergeants position at the police department.

UPDATE ON SEWER PROJECTS:

Glenn Olson, Director of Public Works/City Engineer; gave a brief update on the following projects in the City of Marshall:

1. Schedule from Bolton & Menk Inc., on the Feasibility Report for East Area Interceptor (Lift Station No. 3) and Industrial Park Area Lift Station and Forcemain.
2. Schedule from Bolton & Menk Inc., on the Hill Street/East Marshall Street Improvements.
3. Wastewater Treatment Project
4. M.E.R.I.T. Center
5. Airport Construction
6. Overlay Project
7. Kossuth Street Bridge
8. Tiger Lake Project
9. Breyfogle Demolition
10. Community Center Demolition

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



Mayor of the City of Marshall

ATTEST:



Financial Director/City Clerk

SPECIAL MEETING – OCTOBER 22, 2001

A special meeting of the Common Council of the City of Marshall was held on October 22, 2001 in the Cottonwood Room of the Marshall Municipal Building. The meeting was called to order at 7:06 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Rowe, Sturrock, Reynolds and Boedigheimer. Absent: Doyle and Stores. Staff present included: Michael Johnson, City Administrator; Harry Weilage, Director of Community Services; Glenn Olson, Director of Public Works/City Engineer; and Thomas M. Meulebroeck, Finance Director/City Clerk. Also, in attendance at the meeting were Gary Schmidt, chairperson of the Airport Commission, and Brad Snell and Randy Fox from Schwan's Sales Enterprises Inc.

Bids were received, opened and read on October 5, 2001 at 10:00 o'clock A.M. in the Council Chambers of the Marshall Municipal Building for the Marshall Municipal Airport Arrival/Departure Building. The bids received, opened and read were from:

Bladholm Construction Inc.
Marshall, Minnesota
\$2,741,800.00

Hasslen Construction
Ortonville, Minnesota
\$2,790,000.00

Mike Johnson, City Administrator; reviewed the project revenues and expenditures as it relates to the arrival/departure building at the Marshall Municipal Airport. The proposed budget as presented by Mr. Johnson indicated expenditures in excess of revenues by \$175,000.00. The budget included adjustments in the amount appropriated from the city from \$310,000 to \$580,300 and reflects an increase in the amount to be provided by MN/DOT from \$300,000 to \$500,000. A letter dated October 22, 2001 from Hay Dobbs, Architects for the arrival/departure building at the Marshall Municipal Airport, was reviewed. This letter identified various items included in the project that could probably be deleted at this time to adjust the budget by the \$175,000 difference. Gary Schmidt, chairperson of the Airport Commission, did briefly address the process that has taken place and the working and funding relationships that have been reviewed with Schwan's Sales Enterprises Inc. Mr. Johnson did indicate that there has been no formal discussion with the county commissioners in regard to them possible assisting with the funding of this project. Boedigheimer moved, Sturrock seconded, the adoption of RESOLUTION NUMBER 2382, SECOND SERIES and that the reading of the same be waived. Resolution Number 2382, Second Series is a resolution awarding the contract to Bladholm Construction, Inc., Marshall, Minnesota in the amount of \$2,741,800.00 for the arrival/departure building at the Marshall Municipal Building at the Marshall Municipal Airport. This contract is awarded with the understanding that the project committee will be submitting a recommendation to reduce the contract by approximately \$175,000.00. This contract is also awarded with the understanding that it is contingent upon the approval of the Minnesota Department of Transportation. All voted in favor of the motion.

Mr. Johnson along with Glenn Olson, Director of Public Works/City Engineer; reviewed the proposals that were received for the reinforcement concrete work at the M.E.R.I.T. Center site. The two proposals that were received were from:

SPECIAL MEETING – OCTOBER 22, 2001

Dulas Construction
Marshall, Minnesota
\$47,518.50

KHC Construction
Marshall, Minnesota
\$48,945.25

The budget limitations for this project will not allow expenditures over \$44,800 for the work. There is \$25,000 available from the proceeds from the sale of the ambulance equipment, \$12,000 being transferred from the EDA; and there is a balance of \$7,810 from the previous work being done on the Fire Training Tower. Rowe moved, Reynolds seconded, the proper city personnel be authorized to enter into a contract with Dulas Construction Inc., Marshall, Minnesota for the reinforcement concrete work at the M.E.R.I.T. Center site. The contract amount will not exceed \$44,800. All voted in favor of the motion.

Agency presentations were received at this time for the budget requests for the City of Marshall General Fund for the year 2002.

Richard MacDonald, Director of the Marshall/Lyon County Library, provided a brief overview of the Marshall/Lyon County Library for the year 2002. Mr. MacDonald indicated to the council that they received a grant in the amount of \$4,000 for the CD collection and that the Friends of the Library have approved a \$4,000 match for this collection. Mr. MacDonald also indicated that they had received a \$5,000 cooperative planning grant. Mr. MacDonald indicated that since the health insurance premiums for the year 2002 will not increase as was originally projected that the revised budget for the Marshall/Lyon County Library provides for a 3.5% increase in the allocation from the city as well as the county for the library operations, therefore there will be a slight reduction in the general fund budget for the transfer to the library from what was originally proposed.

Ellayne Conyers and Christy Coudron, were in attendance at the meeting on behalf of the Lyon County Historical Society to request an appropriation from the City of Marshall for 2002. Ellayne briefly reviewed the activities of the historical society as well as the goals and objectives of the society and in particular the goals for the year 2002. Ellayne did indicate that the rent for their facility would be increased by \$50.00 per month in the year 2002. Lyon County Historical Society 2002 request for funding from the City of Marshall is in the amount of \$19,750.

Marshall Area Fine Arts Council representatives Greg Schultz and Jackie Zerr were in attendance at the meeting to submit their request of \$2,500 from the City of Marshall for the 2002 budget year. Greg and Jackie did address the activities of the Marshall Fine Arts Council and the various funding sources that they have for their operations.

Wendy VanKeulen, Pan Russell and Abdulrazak Hussein from MACDO, Marshall Area Cultural Diversity Office, were in attendance at the meeting to submit their request of \$15,000 from the City of Marshall General Fund for the year 2002 for the support of their operation. Ms. VanKeulen addressed the purpose, benefits and activities

SPECIAL MEETING – OCTOBER 22, 2001

of MACDO and Ms. Russell reviewed the financial information for the organization and the official request of \$15,000 for the year 2002.

Mark & Cindy Farrell, Judy Werpy, Tom Haynes, Marie Berg, Rusty Rhymer, and Connie Lindsay were in attendance at the meeting on behalf of the Humane Society of Lyon County to discuss the operations of the Humane Society and to submit their request of \$26,400 for the 2002 operations. The group that was in attendance at the meeting did indicate that they had made some changes in their operations and were also suggesting the possibility of a volunteer assistance program from the Community Plus Program to help at the facility.

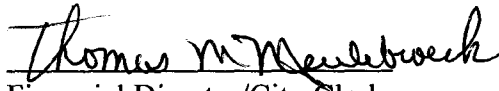
The city was in receipt of a request from the SW Minnesota Foundation for \$7,500 to help build the foundations permanent endowment and insure the future of the grant and loan program that they have to offer.

With no further requests brought before the City Council, Sturrock moved, Rowe seconded, that the meeting be adjourned. All vote in favor of the motion.



Mayor of the City of Marshall

ATTEST:



Financial Director/City Clerk

SPECIAL MEETING – OCTOBER 29, 2001

A special meeting of the Common Council of the City of Marshall was held on October 29, 2001 in the Cottonwood 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, Sturrock, Reynolds and Stores. Absent: Doyle and Boedigheimer. Staff present included: Michael Johnson, City Administrator; Harry Weilage, Director of Community Services; Cal Barnett, Director of General Government Services/City Assessor; Glenn Olson, Director of Public Works/City Engineer; and Thomas M. Meulebroeck, Finance Director/City Clerk. Representatives from the Marshall Municipal Utilities in attendance at the meeting were: Greg Sherman, Roxy Moon, and Dan Bahn. Also in attendance at the meeting was Mark Ruff from Ehlers & Associates.

Greg Sherman, Manager of the Marshall Municipal Utilities introduced Mark Ruff from Ehlers & Associates to discuss with the City Council the proposed \$7,315,000 bond sale for the Marshall Municipal Utilities. This bond issue would finance the construction of various electric utility improvements in the city and refund the city's \$5,300,000 Utility Revenue Bonds Series 1993. \$4,265,000 of the new bond issue would be related to the refunding. With the refunding there would be an approximate savings of \$118,000. The new construction would be for a generator at the intersection of Highway 23 and County Road 33. Sturrock moved, Stores seconded, the adoption of RESOLUTION NUMBER 2383, SECOND SERIES and that the reading of the same be waived. Resolution Number 2383, Second Series is a resolution providing for the sale of \$7,315,000 Utility Revenue Bonds Series 2001. All voted in favor of the motion.

Mike Johnson, City Administrator, provided an overall summary of the General Fund Budget for the year 2002. Mr. Johnson did indicate that the 2001 actual numbers are the most recent numbers available.

Harry Weilage, Director of Community Services, addressed the Community Services Mission Statement and Goals. Mr. Weilage did review each of the department budgets that are under his supervision. Mr. Weilage did indicate that there was some concern with the wages identified in the Cable budget, which probably do not reflect all of the part-time help. A concern was expressed in regard to the revenues for the Senior Center and that reflected a reduction in revenues for the rent of the facility. Mr. Weilage did indicate that they are considering a grant from the Rotary for playground equipment. This revenue is not reflected in the budget. The Lyon County Ice Facility has requested an increase in their allocation from the City of Marshall from \$36,355 to \$50,000 in the year 2002. The Minority Child Advocate Grant was reviewed. Following the review of the Minority Child Advocate budget a concern was expressed in the relationship of this program to that with MACDO and the possibility of some of the activities that were being discussed by MACDO being covered under the Minority Child Advocate Program. Mr. Weilage did indicate that they have received notice of funding in the amount of \$100,000 from the Minnesota Amateur Sports Federation for a feasibility study for a golf course. It is the intent that if this project is to proceed that it may be completed by late summer 2003. Mr. Weilage also indicated that consideration needs to be given to phase II of the Aquatic Center, which would consist of a skateboard area.

SPECIAL MEETING – OCTOBER 29, 2001

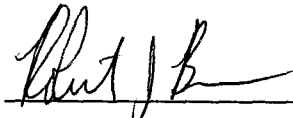
Glen Olson, Director of Public Works/City Engineer, addressed a number of areas of concern under his operation and projects that will be taking place in the near future. Mr. Olson addressed and equipment replacement program, which would provide for monies being set aside on an annual basis based on the depreciation of the various items included in this program. He also addressed the storm water system maintenance program and also engineering projects. The various engineering projects that he addressed were the arrival/departure building at the airport; the next phase for the terminal improvements; Hill Street/Marshall Street improvement; Trunk Hwy 23 sewer upgrade; State Aid projects; traffic study in the area of the Community Center; the on going maintenance of the diversion ditch; construction to the Channel Parkway; 7th Street bridge replacement; 2001 watermain replacement projects; the 2002 overlay and seal coat projects; the process of orderly annexation; and special interest items such as sidewalks and sump pump inspection programs.

The various areas that Mr. Olson addressed in relationship to the Engineering Department budget include: \$6,000 included in part-time wages for a sidewalk survey; the need to adjust the fuels and lubes due to the decline in price of fuels; that there is \$28,000 included in the consulting fees for Aerial Photography; and the possibility of segregating the planning and zoning costs into a separate department from engineering.

The Street Department expenditures that were reviewed were those in relationship to storm sewer maintenance; the capital expenditures and increase dollar amount for street overlays.

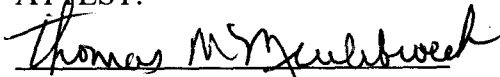
The Airport budget does not include costs that are associated with the operation of the new arrival/departure building. The capital expenditures were reviewed and it was indicated that the dollar amount budgeted would be reduced to reflect an approximate \$200,000 to \$250,000 annual improvements for the airport.

With no further concerns or items addressed at this meeting, Rowe moved, Stores seconded, that the meeting be adjourned. All voted in favor of the motion.



Mayor of the City of Marshall

ATTEST:



Financial Director/City Clerk

REGULAR MEETING – NOVEMBER 5, 2001

The regular meeting of the Common Council of the City of Marshall was held on November 5, 2001 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; Glenn Olson, Director of Public Works/City Engineer; Thomas M. Meulebroeck, Finance Director/City Clerk; and Jane DeVries, Deputy City Clerk.

The Pledge of Allegiance was recited at this time.

APPROVAL OF THE AGENDA:

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

APPROVAL OF THE MINUTES:

Reynolds moved, Sturrock seconded, that the minutes of the regular meeting held on October 15, 2001 and that the minutes of the special meetings held on October 22, 2001 and October 29, 2001 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 TO REZONE BROADMOOR VALLEY ADDITION:

This was the date and time set for a public hearing on the request to rezone Broadmoor Valley Addition from an R-5 Manufactured Home Park District to a R-1 One Family Residence District. There were no concerns or objections, therefore Rowe moved, Stores seconded, the public hearing be closed. All voted in favor of the motion.

Rowe moved, Doyle seconded, the adoption of ORDINANCE NUMBER 467, SECOND SERIES and that the reading of the same be waived. Ordinance Number 467, Second Series is an Ordinance Amending Chapter 86 of the City Code Relating to Zoning. This ordinance provides for Broadmoor Valley Addition, 703 Genesis Avenue and 705 Genesis Avenue to be rezoned from R-5 Manufactured Home Park District to a R-1 One Family Residence District. All voted in favor of the motion.

CONSENT AGENDA – BILLS/PROJECT PAYMENTS; BUILDING PERMITS:

Reynolds moved, Stores seconded, and it was unanimously approved that the following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 30979 through 31215.

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

	<i>Applicant</i>	<i>Location Address</i>	<i>Description of Work</i>	<i>Valuation</i>
1.	Master's Plan, LLP	814 West Southview Court	Two-Unit Condominium	\$180,000
2.	Thompson Excavating	111-A South 1st Street	Demolish Garage	\$0

REGULAR MEETING – NOVEMBER 5, 2001

3.	Thompson Excavating	111-A South 1st Street	Demolish Warehouse	\$0
4.	Thompson Excavating	122 Marvin Schwan Memorial Drive	Demolish Warehouse	\$0
5.	Thompson Excavating	111-C South 1st Street	Demolish Contractor's Office & Shop	\$0
6.	Thompson Excavating	113 South 1st Street	Demolish Repair Shop	\$0
7.	Thompson Excavating	111 East Saratoga Street	Demolish Dwelling	\$0
8.	Thompson Excavating	113 East Saratoga Street	Demolish Dwelling	\$0
9.	Thompson Excavating	117 East Saratoga Street	Demolish Dwelling	\$0
10.	Thompson Excavating	119 East Saratoga Street	Demolish Dwelling	\$0
11.	Thompson Excavating	121 East Saratoga Street	Demolish Dwelling	\$0
12.	Thompson Excavating	123 East Saratoga Street	Demolish Dwelling	\$0
13.	Thompson Excavating	123 East Saratoga Street	Demolish Garage	\$0
14.	Gregory S. Taylor	1102 Holabird Circle	12-Unit Apartment	\$304,000
15.	Gregory S. Taylor	1102 Holabird Circle	Garage	\$36,000
16.	Gregory S. Taylor	1102 Holabird Circle	Garage	\$14,000
17.	Kesteloot Construction, Inc.	1106 East Lyon Street	Addition	\$15,000
18.	Todd & Pauline Vogl	503 Lawrence Street	Exterior Remodeling and Garage Addition	\$16,000
19.	REM Southwest Services, Inc.	1007 North 4th Street	Replace Door	\$300
20.	Lozinski Construction	704 North 5th Street	Garage	\$8,000
21.	Denny Miller Construction, Inc.	409 West Thomas Avenue	Addition	\$20,300
22.	Schlenner Construction Co.	821 Cullen Circle	Dwelling	\$255,000
23.	Karen Meyer	505 South 1st Street	Garage & Deck & Interior Remodel	\$25,000
24.	Sara Connelly	602 Peltier Street	Reroof Dwelling	\$1,500
25.	Carr Properties	1301 East College Drive	Remodel Office	\$7,500
26.	Prairie Events Center	1507 East College Drive	Remodel Toilets and Entrance	\$35,000
27.	Sussner Construction, Inc.	307 West College Drive	Lunch Room Expansion -- Corporate Office II	\$43,000
28.	Pascual Sign Manufacturers	1113 East College Drive	Sign	\$3,000
29.	Klein Foods, Inc.	1501 East Lyon Street	Sign	\$500
30.	French Construction	419 West College Drive	Partial Reroof	\$7,400
31.	Steve & Cathy Malherek	102 West Main Street	Install Sign	\$2,200
32.	City of Marshall	1654 West College Drive	Move Out Storage Building	\$0
33.	City of Marshall	900 Kossuth Street	Move In Storage Building	\$7,000
34.	Border City Building Systems, Inc.	1223 Patricia Court	Dwelling	\$190,000

REGULAR MEETING – NOVEMBER 5, 2001

35.	True Value Home Center	1107 David Drive	Dwelling	\$150,000
36.	North Star Modular Homes	704 South Saratoga Street	Modular Dwelling	\$43,400
37.	Jim Brey Construction	101 West College Drive	Demolish Repair Shop	\$0
38.	Sue Williamson	803 North Bruce Street	Finish Basement Bedroom	\$1,700
39.	Gleeson Constructors, Inc.	601 Ontario Road	Interior Remodeling	\$130,000

RESOLUTION CALLING FOR HEARING ON THE PROPOSED MODIFICATION OF THE MODIFIED TAX INCREMENT FINANCING PLAN FOR TAX INCREMENT FINANCING DISTRICT NO. 1-1 WITHIN REDEVELOPMENT PROJECT NO. 1 OF THE MARSHALL HOUSING AND REDEVELOPMENT AUTHORITY TO EXTEND THE TERM OF THE DISTRICT:

Reynolds moved, Sturrock seconded, the adoption of RESOLUTION NUMBER 2384, SECOND SERIES and that the reading of the same be waived. Resolution Number 2384, Second Series is a Resolution Calling for a Public Hearing on the Proposed Modification of the Modified Tax Increment Financing Plan for Tax Increment Financing District No. 1-1 Within Redevelopment Project No. 1 of the Marshall Housing and Redevelopment Authority to Extend the Term of the District. This public hearing will be held on December 3, 2001 at 7:30 P.M. in the Council Chambers of the Marshall Municipal Building. All voted in favor of the motion.

CONSIDER ORDINANCE AMENDING THE SUMP PUMP ORDINANCE:

Reynolds moved, Sturrock seconded, the introduction of an ordinance to amend Section 78-46(a) and Section 78-71 through 78-90 of the Code of Ordinances which relates to sump pumps and call for a public hearing. The public hearing will be held at 7:30 P.M. on December 3, 2001 in the Council Chambers of the Marshall Municipal Building. All voted in favor of the motion.

RESOLUTION PROVIDING FOR SIGNAGE IN THE CITY OF MARSHALL:

Sturrock moved, Doyle seconded, the adoption of RESOLUTION 2385, SECOND SERIES and that the reading of the same be waived. Resolution Number 2385, Second Series is a resolution Providing for Signage in the City of Marshall. These signs would be for "Snow Emergency / No Parking 4 AM to 9 AM / Enforced November 1 to May 1/ Snow Removal and Fire Protection". This motion also included the proper notification of the property owners in the areas where these signs were to be installed. All voted in favor of the motion.

CHANGE ORDER WITH BLADHOLM CONSTRUCTION, INC., PROJECT 2001-009:

Reynolds moved, Stores seconded, the approval of Change Order No. 1 with Bladholm Construction Inc., in the amount of a \$175,457 reduction for the Arrival/Departure Building Project 2001-009. The low bid for this project was in the amount of \$2,741,800 from Bladholm Construction Inc. This contract was awarded contingent upon Bladholm being able to reduce the bid by at least \$175,000. This change

order is for the items to be deleted from the contract in the amount of \$175,457. All voted in favor of the motion.

CHANGE ORDER WITH THOMPSON EXCAVATION FOR THE COMMUNITY CENTER SITE DEMOLITION PROJECT:

Doyle moved, Reynolds seconded, the approval of Change Order No. 1 with Thompson Excavating for the Community Center Site Demolition Project. This change order provides for the following:

1. A reduction in the amount of \$12,470.00 due to the elimination of bituminous restoration on certain sites.
2. An increase in the amount of \$5,124.50 due to removal of 5,966 S.Y. of bituminous surfacing over the Community center portion of the site.
3. A 9-day extension to the contract completion date due to delays in issuance of the Notice to Proceed due to awaiting land acquisition (7 days) and delays in work on site due to high winds (2 days).

All voted in favor of the motion.

CHANGE ORDER WITH H & W CONTRACTING LLC TIGER LAKE STORM WATER STATION FORCEMAIN RELOCATION PROJECT:

Rowe moved, Stores seconded, the approval of Change Order No. 1 with H&W Contract LLC for Project No. 2001-013, Tiger Lake Storm Water Station Forcemain Relocation Project. This change order provides for a time extension due to delays in production and receipt of pipe necessary for proceeding with construction. Based on the information provided by the contractor, the city staff has calculated a 19-day time extension, thereby extending the Substantial Completion Date to December 5, 2001. The Final Completion Date will remain at June 28, 2002. All voted in favor of the motion.

LETTER OF UNDERSTANDING BETWEEN CITY OF MARSHALL, THE SW MN HOUSING PARTNERSHIP AND MINNESOTA VALLEY BANK:

Sturrock moved, Doyle seconded, the approval of a Letter of Understanding between the City of Marshall, the Southwest Minnesota Housing Partnership and Minnesota Valley Bank regarding the Small Cities Development Program Commercial Rehabilitation Program. All voted in favor of the motion.

AUTHORIZATION TO EXECUTE MINNESOTA DEPARTMENT OF TRANSPORTATION GRANT AGREEMENT FOR AIRPORT IMPROVEMENT:

Boedigheimer moved, Stores seconded, the adoption of RESOLUTION NUMBER 2386, SECOND SERIES and that the reading of the same be waived. Resolution Number 2386, Second Series is a resolution providing for Authorization to Execute Minnesota Department of Transportation Grant Agreement for Airport Improvement. This grant is in the amount of \$500,000 for the construction of the Airport Arrival/Departure Building. All voted in favor of the motion.

AUTHORIZATION TO SOLICIT PROPOSAL FOR FIRE TRUCK/EQUIPMENT FINANCING:

Boedigheimer moved, Reynolds seconded, authorization be granted to the proper city personnel to solicit proposals for the fire truck/equipment financing. The city staff will be contacting all of the financial institutions in town to inquire about their interest in participating in this financing. The proposed financing amount would be \$360,000 and would be financed over a five-year period of time. All voted in favor of the motion.

AMENDMENT TO SERVICES AGREEMENT WITH MINNESOTA MUNICIPAL UTILITIES ASSOCIATION:

Stores moved, Rowe seconded, the approval of the Amendment to Services Agreement with Minnesota Municipal Utilities Association for the City Safety Program. This contract is for the year 2002 in the amount of \$15,168.76, which is split between General Fund, Wastewater Fund and Liquor Fund. This agreement provides for the city to receive services of the Safety Director from the Utilities Association on not less than two days per month. All voted in favor of the motion.

EASEMENT REQUEST FROM KNIGHTS OF COLUMBUS:

The Knights of Columbus is requesting an easement along the southwest 44 feet of the northwest 5 feet of Lot 3, Block 10, Original Plat (City parking lot) for the purpose of construction and maintaining a fire escape which would be attached to the southeast end of the Knights of Columbus building. Boedigheimer moved, Sturrock seconded, the approval of an easement along the southwest 44 feet of the northwest 5 feet of Lot 3, Block 10, Original Plat (City parking lot) for the purpose of construction and maintaining a fire escape which would be attached to the southeast end of the Knights of Columbus building contingent upon the City Attorney Brian Murphy review and approve the agreement. All voted in favor of the motion.

MAYOR AND COUNCIL MEMBER REPORTS:

Reports by the Mayor and Council members of the various boards and commissions were presented at this time:

Byrnes No report

Stores Library Board will meet on November 19th.

Sturrock Cable Commission has not met; Utilities Commission met on October 16th; Public Improvement/Transportation Committee met on October 25th.

Boedigheimer Airport Commission minutes from the October 22nd meeting are included in the agenda packet; Legislative and Ordinance Committee met on October 23rd.

Doyle Housing Commission minutes are included in the agenda packet.

Rowe No report.


REGULAR MEETING – NOVEMBER 5, 2001

Reynolds Hospital Board will meet on November 19th.

COUNCIL MEMBER INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Council members included: snow removal on Village Drive; parking signs in the area of West Side School; county strategic planning meeting; city land use development plan needs revision; the man holes on Lyon Street need to be adjusted; parking issue by the Armory; school board election will be on November 6th; and considerable discussion on the future development of the city in regard to land acquisition, utilities, water, storm sewer, sanitary sewer, and electric.

Upon motion by Reynolds, seconded, that the meeting be adjourned. All voted in favor of the motion.


Mayor

ATTEST:


Financial Director/City Clerk

SPECIAL MEETING – NOVEMBER 13, 2001

A special meeting of the Common Council of the City of Marshall was held on November 13, 2001 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, Sturrock, Reynolds, Boedigheimer and Stores. Absent: none. Staff present included, Michael Johnson, City Administrator; Glenn Olson, Director of Public Works/City Engineer; Cal Barnett, Director of General Services/City Assessor; Harry Weilage, Director of Community Services; Rob Yant, Director of Public Safety; Marc Klaith, Fire Chief; Jim VanHyfte, Manager Marshall Municipal Liquor Store; Bob VanMoer, Superintendent Wastewater Treatment Facility; and Jane DeVries, Deputy City Clerk.

This was a continuation of the 2002 Budget Workshop to receive input from the various departments on their budget requests.

Cal Barnett, Director of Community Services/City Assessor, briefly reviewed the requests for the following departments: Finance/Clerk, Assessing, Purchasing, Municipal Building, Duplication, Liquor Store, and EDA. Mr. Barnett also reviewed some projects from the past year. Cal indicated that there is still the need to fill the project person position and feels that it should be part of his department.

Jim VanHyfte, Manager Marshall Municipal Liquor Store, is requesting money for consultant fees to review the expansion of the liquor store at its current location or the possibility of a second location.

Rob Yant, Director of Public Safety, reviewed his proposed budget at this time. Mr. Yant indicated that three new officers were added in 2001, which results in an increase in the personnel budget. There is also a need for additional clerical staff. They are requesting new shotguns; an all terrain vehicle; siren batteries; a new SUV and a cold storage building.

Marc Klaith, Fire Chief, indicated that their new fire truck is on order and they have added 5 new members. They are requesting 3 sets of turn out gear; 8 pagers, 2-40 watt radio's; the acquisition of the Police Department Expedition; bed sets, replace the carpet in the living area; picnic tables and the repair the parking lot.

A 5-minute break was taken at this time.

Glenn Olson, Director of Public Works; and Bob VanMoer, Superintendent of Wastewater Treatment Facility, reviewed the budget requests for the Wastewater Treatment Plant. Some of the items included: installing sewer to the softball complex; a new lift station pump; replacing the 1989 sludge truck and using that chassis for the water tank that is used by Wastewater and the Fire Department.

Mike Johnson, City Administrator, indicated that the following funds will be reviewed at the next budget meeting: "429" and State Aid Funds; Debt Service; Special Revenue and Capital Projects. Mr. Johnson also indicated that there needs to be

SPECIAL MEETING – NOVEMBER 13, 2001

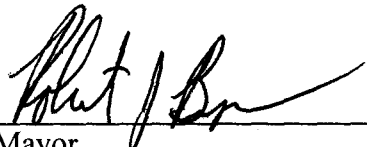
reductions to the current budget requests in order to have a balanced budget. The following is a summary of the reductions that need to be considered:

Personnel	decrease approximately \$150,000
Operation & Maintenance	decrease between \$200,000 - \$250,000
Capital	decrease between \$200,000 - \$300,000
Transfers	decrease between \$15,000 - \$30,000

There was discussion on the requests that were received from the various agencies in the City of Marshall. It was indicated that some of these agencies could work together and therefore reduce the amount that has been requested.

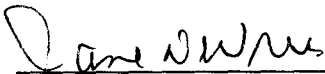
The next budget meeting will be held on November 26, 2001.

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



Mayor

ATTEST:



Deputy City Clerk

REGULAR MEETING – NOVEMBER 19, 2001

The regular meeting of the Common Council of the City of Marshall was held on November 19, 2001 in the Council Chambers of the Marshall Municipal Building. The meeting was called to order at 7:30 P.M. by President Pro-Tem Rowe. In addition to Rowe the following members were present: Doyle, Sturrock, Boedigheimer and Stores. Absent: Reynolds and Byrnes. Staff present included: Michael Johnson, City Administrator; Glenn Olson, 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 with the addition of item 13, which is the consideration of a petition that was received protesting restricted parking.

APPROVAL OF THE MINUTES:

Doyle moved, Boedigheimer seconded, that the minutes of the regular meeting held on November 5, 2001 and the minutes of the special meeting held on November 13, 2001 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 – 2002 LICENSE RENEWALS FOR LIQUOR, SUNDAY LIQUOR, OFF-SALE BEER, ON-SALE BEER, AND TOBACCO; CONSUMPTION & DISPLAY PERMIT AND ON-SALE NON-INTOXICATING BEER LICENSE FOR PRAIRIE EVENT CENTER, LLC; BILLS/PROJECT PAYMENTS; BUILDING PERMITS:

Stores moved, Sturrock seconded, that the following consent agenda items be approved:

The 2002 license renewals for Liquor, Sunday Liquor, Off-Sale Beer, On-Sale Beer and Tobacco for the following:

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) FOE Aerie 3405 dba Eagles Club
- 4) Three Legged Dog Inc dba the Rock
- 5) Sam's Place

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) FOE Aerie 3405 dba Eagles Club
- 4) Three Legged Dog Inc dba the Rock
- 5) Sam's Place

REGULAR MEETING – NOVEMBER 19, 2001

OFF-SALE NON-INTOXICATING BEER LICENSE APPLICATIONS (\$75.00 per year)

- 1) Lyon County Co-op dba Ampride West
- 3) Cattoor Oil dba Phillips 66
- 4) Erickson Oil dba Freedom Valu Center
- 5) Hy-Vee Food Store
- 6) Hy-Vee Gas
- 7) Texaco-Super Stop & Wash

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

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
- 5) Cattoor Oil dba Phillips 66
- 7) County Market
- 8) FOE Aerie 3405 dba Eagles Club
- 9) Erickson Oil dba Freedom Valu Center
- 11) Hy-Vee Food Store
- 12) Hy-Vee Gas
- 13) Marshall Liquor Store
- 15) Three Legged Dog Inc dba the Rock
- 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) Travelers Lodge

The approval of a Consumption & Display Permit for the Prairie Event Center, LLC, 1507 East College Drive for the period November 19, 2001 through March 31, 2002 at a fee of \$100. All voted in favor of the motion.

The application for an On-Sale Non-Intoxicating Beer License for the Prairie Event Center, LLC, 1507 East College Drive is for the period January 1, 2002 through December 31, 2002, therefore this application will be considered at the City Council meeting to be held on December 3, 2001.

The following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 31216 through 31397. All voted in favor of the motion.

REGULAR MEETING – NOVEMBER 19, 2001

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

	<i>Applicant</i>	<i>Location Address</i>	<i>Description of Work</i>	<i>Valuation</i>
1.	City of Marshall	1650 West College Drive	Arrival / Departure Building	\$2,500,500
2.	Lozinski Construction	502 Washington Avenue	Reroof Dwelling	\$6,000
3.	Walt Moser Construction	301 North 5th Street	Partial Roof Repair	\$2,500
4.	Todd Ellis	104 James Avenue	Install Fireplace	\$4,000
5.	Sussner Construction, Inc.	1220 Birch Street	Finish Basement	\$30,000
6.	Richard R. Miller	1103 Washington Avenue	Exterior Remodel	\$20,700
7.	Chester L. Miller	219 Oslo Avenue	Dwelling	\$100,000
8.	Dulas Construction, Inc.	801 DeSchepper St.	Dwelling	\$185,000
9.	True Value Home Center	1109 David Drive	Dwelling	\$110,000
10.	Ron and Donna Schilling	805 North Bruce Street	Repair of Garage Wall and Replacing Entry Doors	\$2,500
11.	Sussner Construction, Inc.	1501 State Street / ILC	Ceiling Replacement	\$81,000

UPDATE ON DOWNTOWN REDEVELOPMENT PROJECT (DTED GRANT):

At this time Jeff Gladis of Western Community Action gave a brief update on the projects for the City's Downtown Redevelopment Grant. Mr. Gladis is working with construction projects, homes, commercial buildings and rental/mixed use properties. He indicated that six owner-occupied homes are under construction. The construction projects usually cost approximately \$18,000 of which the homeowner can receive a grant in the amount of \$12,500. This grant is forgiven over a period of seven years provided the owner does not leave prior to that. Most of the repairs include exterior work such as roofs, windows, doors and siding. Mr. Gladis indicated that the commercial properties and rental/mixed units also include exterior work such as roofs, storefronts and windows. Thirty-three percent of the costs of these projects is subject to a 3% loan with another 33% at a 0% loan forgiven over seven years and the owner must provide 34% of the cost.

FIVE-YEAR RENEWAL OF A CONDITIONAL USE PERMIT FOR A HOME OCCUPATION FOR CHERYL DERYNCK:

Per the recommendation of the Planning Commission, Boedigheimer moved, Doyle seconded, the approval of a 5-year renewal of a Conditional Use Permit for a Home Occupation for a beauty shop business in an R-1 One Family Residence District for Cheryl Derynck at 1110 Bruce Circle. All voted in favor of the motion.

PRELIMINARY PLAT – MARSHALL YMCA ADDITION:

Per the recommendation of the Planning Commission, Sturrock moved, Stores seconded, the approval of the Preliminary Plat for the Marshall YMCA Addition and called for a public hearing to be held the regular City Council meeting on December 3, 2001 at 7:30 P.M. All voted in favor of the motion.

CHANGE ORDER WITH NELSON CONSTRUCTION, CO., INC FOR PROJECT 2001-007 HANGAR NO. 1 CONSTRUCTION:

Doyle moved, Boedigheimer seconded, the approval of Change Order No. 1 with Nelson Construction, Co., Inc., for Project 2001-007 Hangar No. 1 Construction. This change order provides for the placement of the special concrete topping, a 1-hour fire rating for the door going into the mechanical room and the deletion of the project sign. The cost of this change order is an additional \$11,215.00. All voted in favor of the motion.

CHANGE ORDER WITH GM CONTRACTING, INC., FOR PROJECT NO. 2000-002 T.H. 19 AND COUNTY ROAD 7 UTILITY EXTENSION PROJECT:

Stores moved, Sturrock seconded, the approval of Change Order No. 3 with GM Contracting Inc., for Project No. 2000-002 T. H. 19 and County Road 7 Utility Extension. This change order is a result of contract modifications due to poor soil conditions (shared cost of rock replacement for pipe support), removal of septic tanks not shown on the plans, and manhole extensions to bring the top casting evaluation to the surface of the ground. The cost of the change order is an additional \$8,052.18. All voted in favor of the motion.

FEASIBILITY REPORT UPDATE FOR PROJECT 2001-004 SOUTH HILL STREET/EAST MARSHALL STREET:

At this time Dan Sarff from Bolton & Menk, Inc., presented a Draft Feasibility Report for the South Hill Street/East Marshall Street Project. This report identifies different phases of construction including storm sewer, sanitary sewer, watermain, street and sidewalk replacement. It was the general consensus of the council that this Draft Feasibility Report be referred back to the Public Improvement/Transportation Committee for additional review and recommendation.

PARKING RESTRICTIONS FOR THE INTERSECTION OF SOUTH BRUCE STREET AND HORIZON DRIVE:

Stores moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2387, SECOND SERIES and that the reading of the same be waived. Resolution Number 2387, Second Series is a resolution Providing for Signage in the City of Marshall. This resolution provides for "No Parking from Here to Corner" signs to be installed at various locations in the City of Marshall. All voted in favor of the motion.

MAYOR AND COUNCIL MEMBER REPORTS:

Reports by the Mayor and Council member of the various boards and commissions were presented at this time:

Byrnes No report.

Stores Library Board reviewed the non-user survey, proceeds from the book sale will be used for furniture and they will have their Christmas Tree with gift suggestions for items needed by the Library.

REGULAR MEETING – NOVEMBER 19, 2001

- Sturrock Cable Commission met last week but did not have a quorum and the Utilities Commission will meet on Tuesday.
- Boedigheimer Airport Commission discussed 2002 landscaping and finishing of the entry; Senior Citizen Center Commission and Lyon County Enterprise Development have not met.
- Doyle Housing Commission met this evening; Human Rights Commission and Marshall Area Transit meet next week.
- Rowe Community Services Advisory Board reviewed their focus groups and the next brochure.
- Reynolds No report.

COUNCIL MEMBER INDIVIDUAL ITEMS:

Other items of concern brought forth the Mayor and Council members included: a concern about the CD's being invested for a longer period of time and the newly installed signs on snow removal.

PETITION PROTESTING RESTRICTED PARKING ON GLENN STREET, PELTIER STREET, AND SIMMONS STREET:

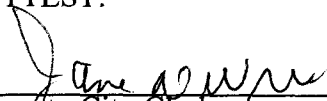
Sherry Krogstad, 318 Simmons Street, and Tim DeVries, 604 Peltier were in attendance at the meeting to present a petition protesting restricting parking on Glenn Street, Peltier Street and Simmons Street. Ms. Krogstad indicated that they do not want restricted parking on both sides of these streets. It was suggested that parking be set up on an odd/even schedule. She was also concerned about the signs being installed on her property. It was indicated that the signs would be installed along the city right-of-way. It was the general consensus of the council that this be referred back to the Public Improvement/Transportation Committee and that her and Tim DeVries be invited to attend this meeting.

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



President Pro-Tem

ATTEST:



Deputy City Clerk

SPECIAL MEETING – NOVEMBER 26, 2001

A special meeting of the Common Council of the City of Marshall was held on November 26, 2001 in the Cottonwood Room of the Marshall Municipal Building. The meeting was called to order at 7:18 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Rowe, Sturrock, Boedigheimer and Stores. Absent: Reynolds and Doyle. Staff present included: Michael Johnson, City Administrator; Glenn Olson, Director of Public Works/City Engineer; Cal Barnett, Director of General Government Services/City Assessor; Harry Weilage, Director of Community Services; Rob Yant, Director of Public Safety; Bob VanMoer, Wastewater Treatment Superintendent; and Thomas M. Meulebroeck, Finance Director/City Clerk.

The purpose of this special meeting was to consider the budget requests for the various funds for the City of Marshall for the year 2002. Mike Johnson, City Administrator, addressed with the City Council his memo dated November 21, 2001. This memo identified the differences in the preliminary 2002 budget in comparison to the 2001 budget for the various expense categories of the General Fund including: personnel; operation and maintenance; capital; debt service and transfers. Mr. Johnson hi-lighted various items that were included in the budget in these different categories. This memo identified \$70,500 of expenditures that the management staff was recommending be deleted from the 2002 budget requests. The items included in the \$70,500 were: the \$18,500 for the siren in the Emergency Management Services Department; \$17,000 for the airport hangar road; \$10,000 for street overlay; and \$25,000 included in the Street Department budget for Corp related project expense. Mr. Johnson also indicated that per his conversation with Harry Weilage, Director of Community Services, that \$16,170 could be cut from the various Community Service Recreation budget line items. Mr. Johnson suggested that the council would have to make a decision at this meeting as to the amount that it intends to include in the budget for the various agencies that had submitted requests to the city council. The agencies that had submitted requests to the city council included the Marshall Area Fine Arts Council, \$2,500; the Historical Society, \$13,500; MACDO, \$15,000; the Humane Society of Lyon County, \$26,400; and the Southwest Foundation, \$7,500.

The city council's primary focus on the budget at this meeting was that of the General Fund. It was suggested to increase the franchise fee from the Weiner Memorial Medical Center by \$10,000; that the PERA Levy of \$7,150 be included under the taxes category of the General Fund budget; that in those areas within the General Fund budget there are expenses off set with specific revenues that those be items be identified to the city council up front in the budget process and that such things as the insurance dividend be addressed as to how the actual dividend is allocated when it is received and how it correlates with the proposed budget. The level of reserve within the General Fund was also discussed. Other items discussed included the aerial photos included in the City Engineer's budget; the Street Department roof replacement project; the idea of financing large projects over a number of years and how to identify the difference between a capital expenditure versus that of maintenance expense.

The City Council was in receipt of a letter from the Humane Society of Lyon County indicating their intent to no longer operate the animal impound as of October 1, 2001. Rob Yant, Director of Public Safety, addressed with the City Council his recommendation as to the amount

SPECIAL MEETING – NOVEMBER 26, 2001

that should be allocated to the Humane Society of Lyon County. The amount that Mr. Yant was recommending was \$21,560, which includes \$9,900 for kenneling and \$11,600 for disposal costs based on 220 animals per year.

Rowe moved, Boedigheimer seconded, that the City of Marshall not include an allocation in the budget for 2002 for the Southwest Foundation. The Southwest Foundation had submitted a request in the amount of \$7,500. All voted in favor of the motion.

Byrnes moved, Rowe seconded, that the City Council included in the General Fund budget \$10,000 as an allocation for the Humane Society of Lyon County for the year 2002. The Humane Society had requested \$26,400. All voted in favor of the motion.

Boedigheimer moved, Rowe seconded, that the City of Marshall not include in its 2002 budget an allocation for MACDO. MACDO had requested \$15,000 from the City of Marshall. All voted in favor of the motion, except Byrnes and Stores who voted no.

Boedigheimer moved, Byrnes seconded, that the City of Marshall include in the 2002 General Fund Budget an allocation of \$2,000 for the Marshall Area Fine Arts Council and \$13,000 for the Lyon County Historical Society. Marshall Area Fine Arts Council had requested \$2,500 and the Historical Society had requested \$13,500. All voted in favor of the motion.

Rowe moved, Sturrock seconded, that the capital expenditure budget for 2002 for the Aquatic Center floor replacement be reduced from \$73,500 to \$37,000. All voted in favor of the motion.

Sturrock moved, Stores seconded, that the revenue account for building permits be increased from \$110,000 to \$130,000 for the year 2002 budget. All voted in favor of the motion.

Boedigheimer moved, Sturrock seconded, that the franchise fee from the Weiner Memorial Medical Center be increased from \$25,000 to \$35,000 for the 2002 budget. All voted in favor of the motion.

Boedigheimer moved, Rowe seconded, that the \$10,400 included in the Fire Department budget for the city's allocation to the Marshall Volunteer Fire Relief Association be deleted from the 2002 budget requests. All voted in favor of the motion, except Stores and Byrnes who voted no.

Based on the recommendations that had been made by the City Council at this meeting and with the recommendations that were provided by the city's management team the expenditures of the General Fund exceed the revenues for the General Fund for the year 2002 by approximately \$50,000, therefore Rowe moved, Stores seconded, that the General Fund Budget be balanced with money being utilized from prior year reserves in the amount of approximately \$50,000. All voted in favor of the motion.

SPECIAL MEETING – NOVEMBER 26, 2001

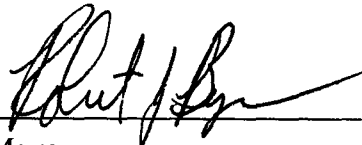
It was the general consensus that the \$11,000 that had been included in the Fire Department 2002 budget for its share of the replacement of the chassis of the tanker be incorporated into the Wastewater Treatment Facility budget.

Rob Yant, Director of Public Safety, was directed at this time to prepare a contingency plan for the operation of the Lyon County Humane Society.

Glenn Olson, Director of Public Works/City Engineer, reviewed with the City Council the proposed "429" Revolving Fund and the MSA Fund budgets for the year 2002. The expenditures in the "429" Revolving Fund Budget of \$100,000 includes \$50,000 for a soccer field and \$50,000 towards the proposed ice facility. The MSA Fund included revenues and expenditures primarily in the amount of \$602,000 to cover proposed projects including the 7th Street Bridge; the 4th Street overlay from Saratoga to Hudson Street; the Bruce Street overlay from East Lyon to Emerald Court; and the 3rd Street overlay from Marshall Street north to the river.

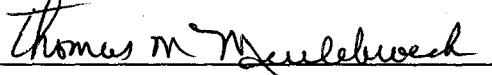
Thomas M. Meulebroeck, Finance Director/City Clerk, briefly reviewed the budgets for the Capital Equipment Fund; the Insurance Reserve Account; the Special Revenue Funds; and the Debt Service Funds.

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



Mayor

ATTEST:



Finance Director/City Clerk

TRUTH AND TAXATION PUBLIC HEARING – DECEMBER 3, 2001

The Truth and Taxation Public Hearing was held on Monday, December 3, 2001 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, and Stores. Absent: Boedigheimer. Staff in attendance at the meeting was: Michael Johnson, City Administrator; Thomas M. Meulebroeck, Finance Director/City Clerk; and Jane DeVries, Deputy City Clerk.

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 2002. 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 17, 2001 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 2001 Accomplishments:

- * Sludge storage and effluent improvements at WWTF (\$4,000,000)
- * Hangars (2), Water & Sewer, Terminal Improvements and Arrival/Departure Building at Airport (\$6,000,000+)
- * Substantial completion of Downtown Improvements to Businesses/Housing under DTED Grant
- * Parkway Housing Addition New Houses and Townhomes
- * Kossuth Bridge Replacement (\$300,000)
- * Fire Tower and Apparatus/Maintenance Building at MERIT Center (\$1,300,000)
- * Purchase of new Fire Truck/Equipment (\$360,000)
- * Mill and Overlay Projects for Country Club Drive, South 4th Street, and East Lyon Street (\$360,000)
- * Property Acquisition/Demolition for Downtown Park
- * Hiring of 8 new City Employees (10% of workforce) in Administration, Engineering, Finance, Policy, Building Maintenance
- * Acquisition, Demolition, Site Clearance, Utility Relocation for YMCA Development (\$1,800,000)
- * Economic Development Assistance on new Schwan's Projects that will add 160+ jobs to Community
- * Tax Increment Plan Modifications to assist with Community Development and Redevelopment
- * Grants and Administration of "BLR" Drug Task Force and Gang Strike Force Programs
- * New Tower and Antenna Ordinance
- * US Bank Project in Technology Park
- * Adoption of Library Strategic Plan

TRUTH AND TAXATION PUBLIC HEARING – DECEMBER 3, 2001

- * Weiner Memorial Medical Center remodeling and Equipment Acquisitions
- * Grant Funds from Minnesota Amateur Sports Commission totaling \$269,000 for Soccer, Hockey and Golf
- * Record Value for Building Permits – over \$32,000,000
- * Hosted Labor Day National Softball Tournament

Following the review of the 2001 Accomplishments, Mike reviewed the 2002 Issues Confronting the City of Marshall:

- * Implementation of DNR grant and (\$125,000) Downtown Park Development
- * Cable Television Franchise Renewal
- * Complete Airport Arrival/Departure Building (\$2,800,000) and Terminal Improvements (\$1,300,000)
- * Schwan's 50th Anniversary in July and hosting of State American Legion Tournament
- * Replacement of North 7th Street Bridge (\$800,000)
- * Mill and Overlay Projects for 4th Street, Bruce Street, and 3rd Street (\$450,000)
- * Phase II Expansion of Parkway Addition and 30 Unit Townhouse Project with Southwest Regional Housing Partnership
- * YMCA Construction Project
- * Feasibility Report for Proposed Golf Course
- * Implementation of Storm Water Management Funding Plan
- * Updating of City Emergency Management Plans
- * GASB 34 and Fixed Asset Accounting Programs
- * Cooperative Planning Project between Library Board, Foundation and Friends of the Library
- * City/Council/Municipal Utility Planning for Annexation, Utility extensions and Subdivision Growth
- * Implement Southwest Recreation Facility Development at SSU (Soccer Project)
- * Develop Public Safety Strategic Plan
- * Examine Municipal Building Infrastructure Issues
- * Develop Financing Plans and Special Assessment Program for Neighborhood Infrastructure Replacement

Mike briefly reviewed the 2002 proposed general fund budget summary, which indicates expenditures in excess of revenues by \$66,375. Mike also, reviewed the revenues and expenditures for the years 1992 through 2002 budget. Other items that were briefly reviewed included: the 2002 General Fund Capital Outlay; the State Aids and Property Tax Levy from 1997-2002; how property taxes are determined; the property tax class rates for the State of Minnesota; the City of Marshall Tax Capacity with and without TIF for the period 1992-2002; the proposed 2002 Marshall Property Tax Levy; the Marshall Property Tax Levy from 1995-2002; a breakdown of total tax capacity rate

TRUTH AND TAXATION PUBLIC HEARING – DECEMBER 3, 2001

paid by Marshall city residents from 1984 to present; and the history of local tax capacity rates from 1991-2001.

Councilperson Stores was concerned that the request from Marshall Area Cultures Diversity Office was denied. He felt that the city should budget at lease \$5,000 to \$7,500 for them. Councilperson Doyle was also in favor of this.

Per the recommendation of the Ways and Means Committee, Stores moved, Reynolds seconded, that the request for \$10,400 for the Fire Department Pension Contribution for 2002 be included in the 2002 budget. All voted in favor of the motion.

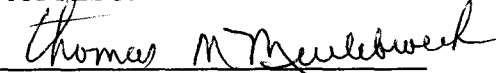
Mayor Byrnes did indicate that the final budget for the City of Marshall will be on the agenda for the December 17, 2001 City Council meeting and the discussion that took place at this meeting will be considered during the final adoption of the budget.

With no further comments brought forth Stores moved, Reynolds seconded, the meeting be adjourned. All voted in favor of the motion.



Mayor of the City of Marshall

ATTEST:



Financial Director/City Clerk

REGULAR MEETING – DECEMBER 3, 2001

The regular meeting of the Common Council of the City of Marshall was held on December 3, 2001 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, Sturrock, Reynolds, Boedigheimer and Stores. Absent: none. Staff present included: Michael Johnson, City Administrator; Brian Murphy, City Attorney; Glenn Olson, Director of Public Works/City Engineer; Thomas M. Meulebroeck, Finance Director/City Clerk; Harry Weilage, Director of Community Services; Calvin Barnett, Director of General Services/City Assessor; Bob VanMoer, Wastewater Superintendent; and Jane DeVries, Deputy City Clerk.

The Pledge of Allegiance was recited at this time.

APPROVAL OF THE AGENDA:

It was the general consensus of the council that the agenda be approved with the addition of item 15a, which was a review of the 2002 budget.

APPROVAL OF THE MINUTES:

Rowe moved, Doyle seconded, that the minutes of the regular meeting held on November 19, 2001 and the minutes of the special meeting held on November 26, 2001 be approved as filed with each member and that the reading of the same. All voted in favor of the motion.

PUBLIC HEARING – SUMP PUMP ORDINANCE:

This was the date and time set for a public hearing to consider the recommended revisions to the sump pump ordinance. Glenn Olson, Director of Public Works/City Engineer, reviewed with the council the recommended revisions to sections of the City's current sump pump ordinance. This ordinance will require property owners to apply for and, if approved, receive a permit to discharge sump pumps into the sanitary sewer only during the winter. For a fee of \$150.00 property owners would be allowed to discharge into the sanitary sewer system from November 1st to March 31st. This fee covers the cost to discharge into the sanitary sewer, a service charge to place a seal on a valve and a service charge to break the seal. Mr. Olson indicated that when the original sump pump ordinance was adopted 18 property owners were granted a variance, which allowed them to pump into the sanitary sewer at all times. Brian Murphy, City Attorney, indicated that with the new ordinance these variances would no longer be allowed. Warren Larson, 403 North Minnesota Street, who was in attendance at the meeting indicated that he is one of the property owners who have a variance. Mr. Larson's home was built before the sump pump ordinance and asked why the city could not grandfather those properties in when the new ordinance takes effect. Mr. Larson also indicated that a contractor told him that when new homes are built the basement floor drains are installed one inch lower than the sump pumps which would allow the property owner to unplug their sump pump and let the water drain into their floor drain. Rowe moved, Doyle seconded, that the public hearing be closed. All voted in favor of the motion.

Boedigheimer moved, Reynolds seconded, the adoption of ORDINANCE NUMBER 468, SECOND SERIES and that the reading of the same be waived. Ordinance Number 468, Second Series is an ordinance Amending the Marshall,

REGULAR MEETING – DECEMBER 3, 2001

Minnesota City Code Regulating Discharge Restrictions into the Sanitary Sewer System of Marshall, Minnesota. All voted in favor of the motion.

Boedigheimer moved, Sturrock seconded, that the proper city personnel work with the 18 homeowners who were granted a variance in 1983 so that would be in compliance with the new ordinance. All voted in favor of the motion.

Rowe moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2388, SECOND SERIES and that the reading of the same be waived. Resolution Number 2388, Second Series is a resolution Amending Resolution Number 1533, Second Series Establishing a Procedure and Rate Structure for Sump Pump Connections to the Sanitary Sewer System. All voted in favor of the motion.

PUBLIC HEARING – PRELIMINARY PLAT MARSHALL YMCA ADDITION:

This was the date and time set for a public hearing on the Preliminary Plat for the Marshall YMCA Addition. Calvin Barnett, Director of General Services/City Assessor, reviewed this plat with the council. Mr. Barnett also introduced Bob Aufenthie, Chairman of the YMCA Board; and Theresa Lubke, Executive Director of the YMCA. Doyle moved, Sturrock seconded, that the public hearing be closed. All voted in favor of the motion.

Doyle moved, Sturrock seconded, the adoption of the Preliminary Plat for the Marshall YMCA Addition. All voted in favor of the motion.

PUBLIC HEARING – PROPOSED MODIFICATION FOR TIF NO. 1-1:

Calvin Barnett, Director of General Services/City Assessor, reviewed the request relating the Modification of the Tax Increment Financing Plan for Tax Increment Financing District No. 1-1, located within Housing and Redevelopment Project No. 1. This modification would extend the terms of the TIF District from 18 years to 25 years. This extension would allow the City to meet intended redevelopment and economic development opportunities plus its financial obligations. Council person Boedigheimer was concerned because the council has not been provided with a cash flow analysis, which was previously asked for. Rowe moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2389, SECOND SERIES and that the reading of the same be waived. Resolution Number 2389, Second Series is a resolution Relating to the Modification of the Tax Increment Financing Plan for Tax Increment Financing District No. 1-1, located within Housing and Redevelopment Project No. 1. All voted in favor of the motion.

CONSENT AGENDA – 2002 LICENSE RENEWALS FOR LIQUOR, SUNDAY LIQUOR, OFF-SALE BEER, TOBACCO AND TRANSIENT MERCHANTS; CONSIDER APPLICATION FOR MINNESOTA GAMBLING CONTROL BOARD PREMISES PERMIT RENEWAL FOR KNIGHTS OF COLUMBUS FOR USE AT THE CHALET; APPLICATION FOR ON-SALE NON-INTOXICATING BEER LICENSE FOR PRAIRIE EVENT CENTER, LLC; APPLICATION FOR TEMPORARY ONE-DAY ON-SALE LIQUOR LICENSE FOR WEINER MEMORIAL MEDICAL CENTER TO BE USED AT SOUTHWEST STATE

**UNIVERSITY ON JANUARY 12, 2002; BILLS/PROJECT PAYMENTS;
BUILDING PERMITS:**

It was the general consensus of the council that two of the items be removed from the consent agenda. These two items included: the 2002 License Renewal for Liquor, Sunday Liquor, Off-Sale Beer, Tobacco and Transient Merchants; and the consideration of an application for a Temporary One-Day On-Sale Liquor License for Weiner Memorial Medical Center to be used at Southwest State University on January 12, 2002.

Rowe moved, Stores seconded, that the following consent agenda items be approved:

BE IT RESOLVED that the proper City personnel be authorized to advise the State of Minnesota Charitable Gambling Control Board that they have approved the application for renewal of the Gambling License for the Knights of Columbus Council 1621 for use at the Chalet Club, East College Drive, Marshall, Minnesota. All voted in favor of the motion.

The approval of an On-Sale Non-Intoxicating Beer License for Prairie Event Center, LLC for the period January 1, 2002 through December 31, 2002 at a fee of \$75.00. All voted in favor of the motion.

The following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 31398 through 31554. All voted in favor of the motion.

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

<i>Applicant</i>	<i>Location Address</i>	<i>Description of Work</i>	<i>Valuation</i>
1. Rodney DeGraaf	803 Brian Street	Remodel Basement	\$1,400
2. Paul Puetz	409 Elaine Avenue	Kitchen Remodel	\$1,000
3. Gleeson Constructors, Inc.	1604 Superior Road	Additions and Interior Remodeling	\$3,500,000
4. Mike & Sue Boedigheimer	202 Donita Avenue	Install Fireplace	\$2,000
5. Pride Neon, Inc.	301 West College Drive	Install Signage	\$6,100
6. Jon Schmidt	304 West Redwood Street	Garage Remodel	\$1,500
7. Lovegreen Industrial Services	100 North Highway 59	Addition	\$80,000
8. Les Lenz	417 North 7th Street	Remodel Dwelling	\$5,100

REGULAR MEETING – DECEMBER 3, 2001

Rowe moved, Reynolds seconded, and it was unanimously approved that the following Liquor Licenses be approved for the calendar year 2002:

LIQUOR LICENSE APPLICATIONS (\$3,500 per year)

- 1) Best Western/Marshall Inn
- 2) Boulevard Developers Inc dba The Chalet Club
- 3) El Tequila
- 4) The Gambler
- 5) Marshall Bowl
- 6) Marshall Golf Club
- 7) Pappy's

Rowe moved, Reynolds seconded, and it was unanimously approved that the following Sunday Liquor Licenses be approved for the calendar year 2002:

SUNDAY LIQUOR LICENSE APPLICATIONS (\$200 per year)

- 1) Best Western/Marshall Inn
- 2) Boulevard Developers Inc dba The Chalet Club
- 3) El Tequila
- 4) The Gambler
- 5) Marshall Bowl
- 6) Marshall Golf Club
- 7) Pappy's

Rowe moved, Stores seconded, and it was unanimously approved that the following Off-Sale Non-Intoxicating Beer Licenses be approved for the calendar year 2002:

OFF-SALE NON-INTOXICATING BEER LICENSE APPLICATIONS (\$75.00 per year)

- 1) Casey's General Store
- 2) La Mexicana

Sturrock moved, Reynolds seconded, and it was unanimously approved that the following Tobacco Licenses be approved for the calendar year 2002:

TOBACCO LICENSE APPLICATIONS (\$60.00 per year)

- 1) Casey's General Store
- 2) Chalet Club
- 3) Gambler
- 4) KC's Pawn & Gun Shop
- 5) K Mart
- 6) LaMexicana
- 7) Marshall Golf Club
- 8) Pappy's
- 9) Wal-Mart

REGULAR MEETING – DECEMBER 3, 2001

Rowe moved, Boedigheimer seconded, and it was unanimously approved that the following Transient Merchants Licenses be approved for the calendar year 2002 and if the ordinance is changed at the beginning of the year that a refund of the fee may be necessary:

TRANSIENT MERCHANTS LICENSE APPLICATIONS (\$250.00 per year)

- 1) American Studios Inc.
- 2) Pacesetter Corp

Rowe moved, Sturrock seconded, the approval of the application for a temporary one-day On-Sale Liquor License for Weiner Memorial Medical Center to be used at Southwest State University on January 12, 2002. This license was approved with the understanding that the application would be changed to show that the applicant will not be contracting with the Marshall Municipal Liquor Store for intoxicating liquor services. All voted in favor of the motion.

RESOLUTION APPROVING THE ACTION OF THE BOARD OF COMMISSIONERS OF THE MARSHALL MUNICIPAL UTILITIES COMMISSION AUTHORIZING THE ISSUANCE AND DELIVERY OF \$7,315,000 UTILITY REVENUE BONDS, SERIES 2001:

Representatives from Ehlers and Associates, Marshall Municipal Utilities and the Utilities Commission were in attendance at the meeting. Mark Ruff from Ehlers and Associates reviewed the bids that were received for the \$7,315,000 Utility Revenue Bonds, Series 2001. Sturrock moved, Stores seconded, the adoption of RESOLUTION NUMBER 2390, SECOND SERIES and that the reading of the same be waived. Resolution Number 2390, Second Series is a resolution Approving the Action of the Board of Commissioners of the Marshall Municipal Utilities Commission Authorizing the Issuance and Delivery of \$7,315,000 Utility Revenue Bonds, Series 2001. All voted in favor of the motion.

RESOLUTION AWARDING THE SALE OF \$360,000 GENERAL OBLIGATION EQUIPMENT CERTIFICATE OF INDEBTEDNESS, SERIES 2001; FIXING ITS FORM AND SPECIFICATIONS; DIRECTING ITS EXECUTION AND DELIVERY; AND PROVIDING FOR ITS PAYMENT:

Rowe moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2391, SECOND SERIES and that the reading of the same be waived. Resolution Number 2391, Second Series is a resolution Awarding the Sale of \$360,000 General Obligation Equipment Certificate of Indebtedness, Series 2001; Fixing its Form and Specifications; Directing its Execution and Delivery; and Providing for its Payment. This resolution is for the financing of the new fire truck and the related equipment and radio. All voted in favor of the motion.

RESOLUTION ACCEPTING SAFE AND SOBER TRAFFIC SAFETY AWARD:

Stores moved, Reynolds seconded, the adoption of RESOLUTION NUMBER 2392, SECOND SERIES and that the reading of the same be waived. Resolution Number 2392, Second Series is a resolution Authorizing Acceptance of a Traffic Safety

REGULAR MEETING – DECEMBER 3, 2001

Award. This award provides for a grant in the amount of \$1,500 for the City for the overtime and promotional materials for the Marshall Police Department in recognition of their traffic safety efforts. There is no local match for this grant. All voted in favor of the motion.

A 5-minute recess was called at this time.

RESOLUTION AUTHORIZING AND PLEDGING SUPPORT FOR VOTING EQUIPMENT GRANT APPLICATION:

On Tuesday, November 27th Thomas M. Meulebroeck, Finance Director/City Clerk, attended a demonstration on a precinct count tabulator that immediately records and tallies the ballots after the voter inserts the ballot into the tabulator. The cost of this equipment is \$4,450 plus sales tax in the amount of \$289.25 for a total of \$4,739.25 for each of the three wards in the City of Marshall. Mr. Meulebroeck also indicated that there is a State Voting Equipment Grant Account in the amount of \$1.9 million dollars available to political subdivisions in the state. This grant provides for a 50% match. Sturrock moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2393, SECOND SERIES and that the reading of the same be waived. Resolution Number 2393, Second Series is a resolution Authorizing and Pledging Support for Voting Equipment Grant Application. All voted in favor of the motion, except Boedigheimer who abstained.

CONSIDER LYON COUNTY PLANNING AND ZONING VARIANCE APPLICATIONS:

Glenn Olson, Director of Public Works/City Engineer, reviewed with the council the planning and zoning applications that have been received by Lyon County for Mike and Rosann Schmitt and Veldon and Mary Orth. The applicants have both applied for a variance for more than one non-farmed dwelling for 40-acre tract of land on land that is zoned agricultural. These variance requests are located directly west of County Road 7 and north of Highway 23. Rowe moved, Stores seconded, that the proper city personnel notify the county of any concerns they may have. All voted in favor of the motion.

RESOLUTION FOR EXCESS FUNDS NECESSARY FOR KOSSUTH AVENUE BRIDGE REPLACEMENT PROJECT:

Rowe moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2394, SECOND SERIES and that the reading of the same be waived. Resolution Number 2394, Second Series is a resolution for Excess Funds Necessary for Project 2000-014/S.A.P. 139-121-02 Kossuth Avenue Bridge Replacement Project. This resolution provides for the City of Marshall to affirm that any cost of the bridge in excess of the grant will be appropriated from funds available to the City of Marshall and that any grant monies appropriated for the bridge but not required, be returned to the Minnesota State Transportation Fund. All voted in favor of the motion.

PETITION TO VACATE UTILITY EASEMENT IN WILKE-MILLER-BUESING ADDITION:

Reynolds moved, Stores seconded, the introduction of an ordinance to vacate a utility easement in the City of Marshall. This utility easement is located in the Wilke-Miller-Buesing Addition. There will be a public hearing at 7:30 P.M. on January 7, 2002. All voted in favor of the motion.

CONSIDER TKDA SUPPLEMENTAL AGREEMENT NO. 2 FOR ARCHITECT-ENGINEERING SERVICES IN CONNECTION WITH 2001 AND 2002 TERMINAL AREA DEVELOPMENT:

Doyle moved, Reynolds seconded, the proper city personnel be authorized to enter into Supplemental Agreement No. 2 with TKDA for Architect-Engineering services in connection with the 2001 and 2002 Terminal Area Development. This proposal is for a cost plus fixed fee contract with an estimated maximum commitment of \$90,000 plus a landscaping design maximum of \$21,700 for a total of \$111,700. Cost sharing for these design services is estimated at 20% FAA, 50% MN/DOT, and 30% local funding. All voted in favor of the motion.

CALL FOR PUBLIC HEARING REGARDING FY 2002 WASTEWATER USER RATES:

Rowe moved, Reynolds seconded, that a public hearing be set for 7:30 P.M. on December 17, 2001 to consider the proposed Wastewater User Rates. All voted in favor of the motion.

APPROVAL OF REPRESENTATION AGREEMENT WITH GISLASON AND HUNTER, LLP FOR BREYFOGLE CONDEMNATION:

Stores moved, Reynolds seconded, the proper city personnel be authorized to enter into a Representation Agreement with Gislason and Hunter LLP for the Breyfogle Condemnation Matter which involves the property at the intersection of West College Drive and Main Street. All voted in favor of the motion.

BUDGET FOR 2002:

Boedigheimer moved, Stores seconded, that the \$10,400 for the Fire Department Pension Contribution for 2002 be included in the budget. All voted in favor of the motion.

Stores moved, Doyle seconded, that \$5,000 for Marshall Area Cultures Diversity Office be included in the 2002 budget. Voting in favor of the motion was: Byrnes, Stores and Doyle. Voting no was: Rowe, Sturrock, Reynolds and Boedigheimer. Motion failed.

Rowe moved, Reynolds seconded that the difference between the expenditures and revenues be taken from the reserve for the 2002 budget. All voted in favor of the motion.

MAYOR AND COUNCIL MEMBER REPORTS:

Reports by the Mayor and Council members of the various boards and commissions were presented at this time:

Byrnes No report

Stores Library Board meets next Monday.

Sturrock Utilities Commission minutes are included in the agenda packet.

REGULAR MEETING – DECEMBER 3, 2001

Boedigheimer Airport Commission reviewed the agreement with TKDA; Ways and Means Committee needs to discuss the Fire Department Relief Association and the Audit Agreement; Legislative and Ordinance Committee is working on the sump pump ordinance and the transient merchants licenses.

Doyle No report

Rowe Community Services Advisory Board will be meeting at 6:00 P.M. on Wednesday, December 5th; Planning Commission meets next week; M.E.R.I.T. Center discussed classroom space being heated.

Reynolds Hospital Board met on November 19th.

COUNCIL MEMBER INDIVIDUAL ITEMS:

Other items of concern brought forth by the Mayor and Council members included: thanking the Street Department, Glenn Olson and staff on the snow removal during the past snow storm; the ribbon cutting and open house at Schwan's; the clearing of snow around fire hydrants should be done by the property owners in the area; there was a concern about the sidewalks on West College Drive that were not shoveled; the mayor requested that any council member interested in changing board or commission that they serve on to let him know; a date needs to be set for a retreat.

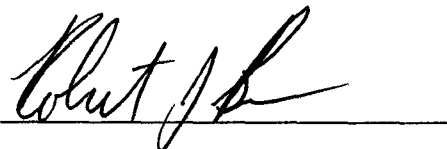
REVIEW OF PENDING AGENDA ITEMS:

A proposal for the LELS (Police Officers) has been accepted and they are waiting for a date to be set with the union; and the union contract with the Sergeants had not been approved.

At this time Bob VanMoer, Wastewater Superintendent, reviewed the construction at the Wastewater Treatment Plant. Bob indicated that the contractors are currently in the penalty stage.

Glenn Olson, Director of Public Works/City/City Engineer, gave a brief update on the airport construction.

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



Mayor of the City of Marshall

ATTEST:


Finance Director/City Clerk

REGULAR MEETING – DECEMBER 17, 2001

The regular meeting of the Common Council of the City of Marshall was held on December 17, 2001 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, 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; Dale Howe, Building Official; Bob VanMoer, Wastewater Superintendent; Cal Barnett, Director of General Services/City Assessor; Rob Yant, Director of Public Safety; Marc Klaith, Fire Chief and several Volunteer Firemen; 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 following additions: consideration of the renewal of the Wooden Nickel for a liquor license, Sunday liquor license and tobacco license under the consent agenda; and two resolutions for the Cable TV Franchise be added as item no. 15a.

APPROVAL OF THE MINUTES:

Doyle moved, Stores seconded, that the minutes of the Truth in Taxation meeting held on December 3, 2001 and that the minutes of the regular meeting held on December 3, 2001 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 2002:

This was the date and time set for a public hearing on the Wastewater user rates for the year 2002. Bob VanMoer, Wastewater Superintendent, reviewed the budget and the work that is taking place at the Wastewater Treatment Facility. The proposed rates have been calculated based on a financial analysis of the Wastewater Utility Fund prepared by Springsted's Incorporated. They have determined that a 3% increase in each of the next five years will keep this fund stable. Rowe moved, Reynolds seconded, that the public hearing be closed. All voted in favor of the motion.

Rowe moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2395, SECOND SERIES and that the reading of the same be waived. Resolution Number 2395, Second Series is a resolution Revising the User Rates for Wastewater Service. All voted in favor of the motion.

CONSENT AGENDA – CHANGE OF MEETING DATES FOR CITY COUNCIL; BILLS/PROJECT PAYMENTS; BUILDING PERMITS; 2002 LICENSE RENEWALS FOR LIQUOR, SUNDAY LIQUOR AND TOBACCO:

Reynolds moved, Stores seconded, that the following consent agenda items be approved:

That the three City Council meetings that fall on holidays in 2002, be changed as follows:

<u>Monday holidays</u>		<u>New meeting date</u>
January 21, 2002	Martin Luther King	January 22, 2002
February 18, 2002	President's Day	February 19, 2002
September 2, 2002	Labor Day	September 3, 2002

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All voted in favor of the motion.

The following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 31555 through 31898. All voted in favor of the motion.

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

	<i>Applicant</i>	<i>Location Address</i>	<i>Description of Work</i>	<i>Valuation</i>
1.	Sussner Construction, Inc.	601 Michigan Road	Floor Remodeling	\$10,000
2.	Knights of Columbus Building Corporation	114 North 3rd Street	Interior Remodeling and Fire Escape	\$34,000
3.	Lozinski Construction	1404 Carlson Street	Reside Dwelling and Install Window	\$4,000
4.	Babcock Construction	414 N. 7th St.	Reside Dwelling and Replace Doors	\$5,500
5.	Fireside Corner	808 Viking Drive	Install Fireplace	\$3,000
6.	Fireside Corner	610 Viking Drive	Install Fireplace	\$6,000
7.	Christ Lutheran Church	206 West Marshall Street	Garage	\$5,500
8.	Harry Weilage	506 Pleasant Street	Finish Garage	\$1,200
9.	Netpoint	300 North 1st Street	Interior Remodeling	\$1,000

The following licenses be approved for the calendar year 2002 for the Wooden Nickel – Liquor License at a fee of \$3,500; Sunday Liquor License at a fee of \$200; and a tobacco license at a fee of \$60.00. All voted in favor of the motion.

RESOLUTION APPROVING BY-LAWS OF THE MARSHALL VOLUNTEER FIREFIGHTERS RELIEF ASSOCIATION:

Russ Labat and several Volunteer firemen were in attendance at the meeting. Russ thanked the council for their support and presented the City with two checks. One for \$5,000, which was the second payment for the thermo imaging equipment; and the other one was for \$750, which was for the scholarship fund.

Stores moved, Boedigheimer seconded, the adoption of RESOLUTION NUMBER 2396, SECOND SERIES and that the reading of the same be waived. Resolution Number 2396, Second Series is a resolution Approving the By-Laws of the Marshall Volunteer Firefighters Relief Association. All voted in favor of the motion.

RESOLUTION ADOPTING THE FISCAL YEAR 2002 BUDGET:

Rowe moved, Doyle seconded, the adoption of RESOLUTION NUMBER 2397, SECOND SERIES and that the reading of the same be waived. Resolution Number 2397, Second Series is a resolution Adopting a Budget for 2002. This resolution provides for General Fund revenues of \$8,207,418 and expenditures of \$8,272,476. The total revenues for all funds is \$18,594,140 and the total expenditures for all funds is \$19,397,694. All voted in favor of the motion.

RESOLUTION APPROVING THE 2001 TAX LEVY, COLLECTIBLE IN 2002:

Sturrock moved, Stores seconded, the adoption of RESOLUTION NUMBER 2398, SECOND SERIES and that the reading of the same be waived. Resolution Number 2398, Second Series is a resolution Approving 2002 Tax Levy, Collectible in 2002. This resolution provides for a total levy of \$2,552,696 which includes the General Fund Levy of \$1,877,757; Library \$390,236; Flood Control Debt Service \$217,487; Senior Center/Swimming Pool Debt Service \$60,066; and PERA Employer contribution of \$7,150. All voted in favor of the motion.

REQUEST FROM JEFF PETERSON, 101 CIRCLE DRIVE FOR A CONDITIONAL USE PERMIT FOR A HOME OCCUPATION:

Rowe moved, Reynolds seconded, that a conditional use permit be approved for Jeff Peterson for a home occupation for a law and tax preparation business at 101 Circle Drive. This permit was issued for a one-year period and the hours of business be between 6:00 a.m. and 10:00 p.m. All voted in favor of the motion.

REQUEST FROM ROD VANDERZIEL, 406 NORTH HIGH STREET FOR RENEWAL OF A CONDITIONAL USE PERMIT FOR A HOME OCCUPATION:

Boedigheimer moved, Doyle seconded, that a conditional use permit be approved for Rod VanDerZiel for a home occupation for a tax preparation and accounting business at 406 North High Street. This permit was issued for a 5-year period and the hours of business be between 6:00 a.m. and 10:00 p.m. All voted in favor of the motion.

PRELIMINARY PLAT OF LYON COUNTY CO-OP FIRST ADDITION:

Reynolds moved, Sturrock seconded, that the Preliminary Plat for Lyon County Co-op First Addition be introduced and to call for a public hearing at 7:30 P.M. on January 7, 2002. All voted in favor of the motion.

REQUEST TO REZONE 1102 CANOGA PARK DRIVE:

Per the recommendation of the Planning Commission, Rowe moved, Doyle seconded, the introduction of an ordinance and called for a public hearing on January 7, 2002 to consider the request to rezone 1102 Canoga Park Drive from B-3 General Business District to R-4 Higher Density Multiple Family Residence District; and 1105 Canoga Park Drive from R-3 Low to Medium density Multiple Family Residence District to B-3 General Business District. All voted in favor of the motion.

CONSIDER ORDINANCE AMENDING CERTAIN SECTIONS OF SECTION 22 OF THE CITY CODE OF MARSHALL, MINNESOTA REGULATING PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS:

Stores was concerned that if transient merchants is removed from this ordinance that they are removing protection from the citizens of the City of Marshall. Boedigheimer indicated that a transient merchant rents a spot or location and the resident decides as to whether or not they want to patronize the transient merchant. Sturrock asked if they remove transient merchants would they then fall under the County license. Sturrock moved, Boedigheimer seconded, the introduction of an ordinance Amending Certain Sections of Section 22 of the City Code of Marshall, Minnesota Regulating Peddlers, Solicitors and Transient Merchants. Voting in favor of the motion were: Sturrock, Boedigheimer, Reynolds and Rowe. Voting no were: Doyle, Byrnes and Stores.

MARSHALL YMCA ADDITION – REQUEST BY MARSHALL HRA TO REZONE FROM R-1 ONE FAMILY RESIDENCE DISTRICT, B-1 LIMITED BUSINESS DISTRICT, AND B-3 GENERAL BUSINESS DISTRICT TO B-3 GENERAL BUSINESS DISTRICT; REQUEST BY MARSHALL HRA TO AMEND DOWNTOWN DISTRICT ZONING; AND PETITION FOR VACATION OF EASEMENT:

Dale Howe, Building Official, reviewed the request for the rezoning of this property with the council and others in attendance at the meeting. Theresa Lubke, Executive Director of YMCA, was in attendance at the meeting and reviewed the proposed plan. Doyle moved, Rowe seconded, the introduction of an ordinance to Amend Chapter 86 of the City Code Relating to Zoning. This ordinance would provide for the Marshall YMCA Addition to all be zoned B-3 General Business District. All voted in favor of the motion.

Rowe moved, Sturrock seconded, the introduction of an ordinance Amending Chapter 86 of the City Code Relating to Zoning. This ordinance would provide for the Marshall YMCA Addition to be added to the Downtown District. All voted in favor of the motion.

Reynolds moved, Stores seconded, that the City of Marshall accept the petition for Vacation of Easement for the Marshall YMCA Addition and call for a public hearing to be held at 7:30 P.M. on January 7, 2002. All voted in favor of the motion.

CONSIDER RECOMMENDATIONS FROM INSURANCE ADVISORY COMMITTEE - REVIEW HEALTH INSURANCE RENEWAL RATES EFFECTIVE JANUARY 1, 2002; CONSIDER LIFE INSURANCE RENEWAL RATES EFFECTIVE JANUARY 1, 2002; CONSIDER LONG-TERM DISABILITY INSURANCE RENEWAL RATES EFFECTIVE JANUARY 1, 2002; CONSIDER RENEWAL OF GROUP SELF-INSURED ACCIDENT PLAN FOR VOLUNTEERS FOR 2002; CONSIDER PROPOSAL FOR ADMINISTRATION OF DENTAL CLAIMS WITH FORTIS BENEFITS INSURANCE COMPANY; REVIEW WORKERS COMPENSATION RENEWAL FOR JANUARY 1, 2002; DEFERRED COMPENSATION PLAN – VALIC – THE VARIABLE ANNUITY LIFE INSURANCE COMPANY:

Thomas M. Meulebroeck, Finance Director/City Clerk, briefly reviewed the proposed insurance recommendations that Insurance Ad Hoc Committee is recommending to the City Council for approval.

Boedigheimer moved, Doyle seconded, the renewal of the Health Insurance with Blue Cross/Blue Shield effective January 1, 2002. The rates reflect a 13.2% increase. The single premium will increase from \$234.30 per month to \$265.23 per month; and the family premium will increase from \$626.20 per month to \$708.86 per month. All voted in favor of the motion.

Boedigheimer moved, Reynolds seconded, the approval of the Life Insurance for City of Marshall employees for 2002, with Madison National Life Insurance. The Life Insurance rates are \$.28 per \$1,000 for Life Insurance and \$.035 per \$1,000 for employee AD&D and dependent life is \$1.65 per unit. All voted in favor of the motion.

Doyle moved, Stores seconded, that the Long Term Disability Insurance be renewed with Madison National Life Insurance effective January 1, 2002. The rate is .425% of wages with coverage up to \$90,000 of wages. All voted in favor of the motion.

Stores moved, Reynolds seconded, that the renewal of the Group Self-Insured Accident Plan for City Volunteers with the League of Minnesota be renewed for a premium of \$1,847.

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The premium for 2001 is \$1,742. It was indicated that these volunteers would not be covered under the City of Marshall's insurance without this Group Self-Insured Accident Plan. All voted in favor of the motion.

Thomas M. Meulebroeck, Finance Director/city Clerk reviewed the administration of the City's Dental claims. He indicated that they are currently administered by Great West at a rate of \$4.00 per employee per month. Great West was requesting the rate to be increased to \$10.95 per employee per month. The increase was challenged with Great West; therefore they submitted a revised rate of \$9.30 per employee per month. With this rate being unacceptable other companies were requested to submit a proposal. A proposal was received from Fortis Benefits Insurance Company at a rate of \$5.77 per employee per month effective January 1, 2002. The committee recommended that an agreement be entered into with Fortis Benefits Insurance Company for the administration of dental claims effective 1-1-02 at a rate of \$5.77 per month per employee with the understanding that Fortis will provide a letter to the City that they will mirror the coverage's for dental claims as they are administered from Great West. This change is being recommended with the provision that the City consider proposals for the coverage of dental claims through a dental insurance provider rather than a self-insurance program. Stores moved, Reynolds seconded, that the proper city personnel be authorized to enter into an agreement with Fortis Benefits Insurance Company for the administration of dental claims effective January 1, 2002 at a rate of \$5.77 per employee with the understanding that Fortis will mirror the coverage's for dental claims as they are administered from Great West. All voted in favor of the motion.

Sturrock moved, Doyle seconded, that the proper city personnel be authorized to execute the necessary documents for the City's renewal of Workers Compensation Insurance be renewed with the League of Minnesota Cities Insurance Trust utilizing a \$2,500 deductible effective January 1, 2002. The renewal premium is \$82,084. The increased premium over 2001 is a result of increased wages; a 7% increase in rates for each category of employees; an increase in the experience modifier and a decrease in the Managed Care Credit. All voted in favor of the motion.

It has been the past practice of the City of Marshall, that if there are 10 or more employees interested in establishing a new employee only deduction program, a request could be made to the City Council requesting their authorization for the city employees to proceed with a new program.

A discussion was held at this time on the request to provide a new deferred compensation program for the City of Marshall employees. There are eleven (11) employees who have indicated an interest in a new deferred compensation program with VALIC. Brian Murphy, City Attorney, has reviewed and approved as to form the documents in relationship to the new program. Boedigheimer moved, Rowe seconded, that the proper city personnel be authorized to execute the necessary documents for an employee only deferred compensation program with VALIC on the condition that there be a minimum of 10 participants. All voted in favor of the motion.

CONSIDER PROJECT CHANGE ORDERS – CHANGE ORDER 1 AND FINAL PAYMENT FOR 2001 OVERLAY AND SEAL COATING PROJECT; CHANGE ORDER G-4 FOR HANGAR NO. 1 PROJECT; CHANGE ORDER E-1 FOR HANGAR NO. 1 PROJECT; CHANGE ORDER 3 FOR 2001 TERMINAL AREA CONSTRUCTION:

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Boedigheimer moved, Doyle seconded, that change order no. 1 for Project 2001-010 Bituminous Overlay and Seal coating and the final payment for this project be approved. The change order is an increase in the contract in the amount of \$51,747.72 and the final payment is in the amount of \$8,864.15 with McLaughlin & Schulz Inc. All voted in favor of the motion.

Rowe moved, Stores seconded, the approval of change order no. G-4 with Nelson Construction Co., Inc. for Project 2001-007, Hanger No. 1 Construction. This change order is per the request of Schwan's for changes to the workbench, both in height and in materials for an increase in the contract amount of \$945. All voted in favor of the motion.

Doyle moved, Reynolds seconded, the approval of change order no. E-1 with Gary's Electric for Project 2001-007, Hanger No. 1 Construction. This change order is for the addition of a temporary electric service in the amount of \$100.00; for electrical changes for the starter outlets and breaker size addition of three way outlet in room 103 in the amount of \$849.00; for moving of the transformer from the original location in the amount of \$200.00; and for a change from the original hangar door motor size in the amount of \$244.56 for a total increase in the contract in the amount of \$1,513.56. All voted in favor of this motion.

Doyle moved, Stores seconded, the approval of change order no. 3 with R & G Construction for Project 2001-005, 2001 Terminal Area Construction. This change order involves modification of the T-Hangars required to match the new grades at the new T-Hangar sites, construct new supports / locks for the doors, and extension of time of completion of 16 days for additional work. This change order provides for an increase in the contract in the amount of \$13,629.42. All voted in favor of the motion.

A 5-minute recess was called at this time.

FINAL PAYMENT FOR M.E.R.I.T. PROJECT:

Rowe moved, Stores seconded, the approval of the final payment with Meier Electric Inc., for the M.E.R.I.T. Center Apparatus Storage/Maintenance Facility in the amount of \$5,028.25. All voted in favor of the motion.

CONSIDER SERVICES BY LARSON ALLEN WEISHAIR & CO., LLP FOR AUDITING THE CITY OF MARSHALL FINANCIAL STATEMENTS FOR YEAR ENDED DECEMBER 31, 2001:

Per the recommendation of the Ways and Means Committee, Boedigheimer moved, Doyle seconded, the proper city personnel be authorized to enter into an agreement with Larson Allen Weishair & Co., LLP for Auditing the City of Marshall Financial Statements for the year ended December 31, 2001. The fee for this agreement is \$23,200. This agreement provides for Larson Allen Weishair to address the GASB34 requirements and to provide a draft outline and schedule for council consideration in January 2002. All voted in favor of the motion.

CONSIDER AIRPORT NAME CHANGE:

Gary Schmidt, Airport Commission Chairperson, was in attendance at the meeting to review with the council the recommendation of the Airport Commission on the name change for the Marshall Municipal Airport (Ryan Field) to Marshall Regional Airport (Ryan Field). This item has been previously discussed and this recommendation indicated the importance of: designating "Marshall" as the primary location; indicating a "regional" presence; and acknowledging "Mr. Ryan" similar to the present acknowledgement in the name. Mayor Byrnes took this opportunity to thank Gary and the Airport Commission on all of their hard work in the

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past year. Doyle moved, Rowe seconded, that the request for the airport name change be tabled. All voted in favor of the motion, except Boedigheimer who voted no.

CABLE TELEVISION FRANCHISE RENEWAL:

Sturrock moved, Stores seconded, the adoption of RESOLUTION NUMBER 2399, SECOND SERIES and that the reading of the same be waived. Resolution Number 2399, Second Series is a resolution Authorizing McLeod USA Telecom Development, Inc., to Temporarily Operate the Cable Communications System through March 31, 2002. All voted in favor of the motion.

Sturrock moved, Stores seconded, the adoption of RESOLUTION NUMBER 2400, SECOND SERIES and that the reading of the same be waived. Resolution Number 2400, Second Series is a resolution Authorizing CC VII Operating Company, LLC, dba Charter Communications to Temporarily Operate the Cable Communications System through March 31, 2002. All voted in favor of the motion.

MAYOR AND COUNCIL MEMBER REPORTS:

Reports by the Mayor and Council members of the various boards and commissions were presented at this time:

- Byrnes EDA met this past week and are continuing to work on the Parkway Housing Addition; Regional Development Commission met last Thursday.
- Stores Library Board needs to review the Library Director Position; they received a grant from the Friends of the Library for furniture; and they have a program for adopting a magazine for Christmas and a gift Christmas tree for items needed at the library. Insurance Advisory Committee met on December 14th and the council acted on their recommendations.
- Sturrock Cable Commission meets on Tuesday; Utilities Commission meets next Tuesday and the Public Improvement/Transportation Committee needs to meet in January.
- Boedigheimer Ways and Means Committee minutes are included in the agenda packet.
- Doyle Housing Commission minutes are included in the agenda packet; Marshall Area Transit will meet on Tuesday morning.
- Rowe Community Services Advisory Board the new brochure will be out by the 1st of the year, they held an input meeting on the downtown park.
- Reynolds Hospital Board met earlier this evening and discussed the strategic plan, held a tour of the new MRI facility, discussed the expansion of same day surgery area, smoke free campus and there will be a joint Hospital Board and City Council meeting on January 28th.

COUNCIL MEMBER INDIVIDUAL ITEMS:

Other items brought forth by the Mayor and Council members included: the compliance check for the establishments with tobacco licenses; the Christmas Tree Walk; they need to advertise for vacancies on the boards and commissions; the Humane Society's request to cancel

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there lease for the impound center as of 12-31-01; the Mayor and Public Works Director need to work with the Humane Society and city to resolve issues.

REVIEW OF PENDING AGENDA ITEMS:

Mike Johnson asked for possible dates for the Council Retreat.

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



Mayor of the City of Marshall

ATTEST:



Financial Director/City Clerk