

REGULAR MEETING – JUNE 23, 2009

The regular meeting of the Common Council of the City of Marshall was held on June 23, 2009 in the Professional Development Room at Marshall Middle School, 401 South Saratoga Street. The meeting was called to order at 5:30 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Hulsizer, Doom, Sanow, Boedigheimer and Ritter. Absent: none. Staff present included: Ben Martig, City Administrator; Dennis Simpson, City Attorney; Glenn Olson, Director of Public Works/City Engineer; Rob Yant, Director of Public Safety; Mark Hanson, EDA Director; Lorna Sandvik, City Assessor; Thomas M. Meulebroeck, Finance Director/City Clerk; and Jane DeVries, Deputy City Clerk.

The Pledge of Allegiance was recited at this time.

APPROVAL OF THE AGENDA:

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

APPROVAL OF THE MINUTES:

Doom moved, Sanow seconded, that the minutes of the regular meeting held on June 9, 2009 be approved as filed with each member and the reading of the same be waived. All voted in favor of the motion.

PUBLIC HEARING – RURAL SERVICE DISTRICT HEARING AND CONSIDER ADOPTION OF ORDINANCE:

This was the date and time set for a public hearing establishing and amending previous rural and urban service districts for the City of Marshall. Lorna Sandvik, City Assessor, indicated that in 1966, the Common Council for the City of Marshall divided the city into two separate taxing districts for the purpose of property taxes referred to as the "Rural Service District" and the "Urban Service District". The Rural Service District consists of parcels of vacant land which are unplatted, rural in character, and are not developed for commercial, industrial, or residential purposes and for these reasons, are not benefited to the same degree as other properties by municipal services funded by property tax. An amendment to the ordinance is necessary in order to transfer parcels of land meeting the criteria for inclusion from the Urban Service District into the Rural Service District, and to transfer parcels currently taxed in the Rural Service District which no longer meet the criteria into the Urban Service District. Additionally, all provisions of the original ordinance and subsequent amendments were reviewed and updated to reflect current relevance and statutory compliance.

Ms. Sandvik indicated that parcels that are currently taxed in the Urban Service District, but would be moved to the Rural Service District by adoption of the Amendment (12 properties), would see a reduction of approximately 27% in their annual property tax bill. Properties that no longer meet the requirements for inclusion in the Rural Service District would be transferred to the Urban Service District (4 properties-all City owned) and would see an increase of approximately 35% in the annual property tax bill. Two properties proposed for inclusion in the Rural Service District are currently located outside of City limits and would not be affected by this Amendment until such time as they are annexed. At that time, they would pay at the reduced City rate if they continue to meet the requirements for inclusion in the Rural Service District. The vast majority of the properties in the City would remain in their current taxing district, and could experience a minimal property tax impact from moving the affected parcels to and from the Rural Service District. A homestead residential property valued at \$150,000 could expect an increase of approximately \$1-\$2 per year, while a \$300,000 commercial property could expect an increase of approximately \$7-\$8 per year as a result of the Amendment.

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

Council Member Boedigheimer asked why this could not be done by a resolution. Ms. Sandvik indicated that State Statute requires an ordinance to add parcels, but parcels can be deleted by a resolution. Sanow moved, Ritter seconded, the adoption of ORDINANCE NUMBER 612, SECOND SERIES and that the reading of the same be waived. Ordinance Number 612, Second Series is an ordinance Amending First Series Ordinances #328, 419, 440, 530 and 533, Establishing and Amending Previous Rural and Urban Service Districts for the City of Marshall, Minnesota. All voted in favor of the motion.

Boedigheimer moved, Sanow seconded, the approval of the SUMMARY OF ORDINANCE NUMBER 612, SECOND SERIES, which will be utilized for publication purposes. All voted in favor of the motion.

**PUBLIC HEARING – VILLAGE DRIVE IMPROVEMENT PROJECT Y05 –
ASSESSMENT HEARING AND ADOPTION OF RESOLUTION ADOPTING
ASSESSMENT:**

This was the date and time set for a public hearing to consider the assessment for Village Drive Improvement Project Y05. Glenn Olson, Director of Public Works/City Engineer, indicated that the improvements for Village Drive are to remove the existing pavement surfacing and granular base. The street shall be subcut to a depth of 13 inches in order to build a 4 inch thick bituminous pavement over a 9 inch thick Class 5 granular base. A geotextile fabric will be placed on the subgrade prior to the placement of the granular base. A 6-inch diameter perforated drain tile will be installed at the face of the curb and gutter to provide subgrade drainage. The tile will be connected to the existing storm sewer located along portions of Village Drive. Portions of the curb and gutter will be replaced on the project as needed to install water service lines and hydrant leads and to correct drainage problems. Ritter moved, Doom seconded, that the public hearing be closed. All voted in favor of the motion.

Doom moved, Boedigheimer seconded, the adoption of RESOLUTION NUMBER 3246, SECOND SERIES and that the reading of the same be waived. Resolution Number 3246, Second Series is a resolution Adopting the Assessment Roll for the Village Drive Improvement Project Y05, setting the interest rate at 5.8% and the assessment being paid in equal annual installments extending over a period of 10 years. All voted in favor of the motion.

**PUBLIC HEARING – DOWNTOWN ALLEY IMPROVEMENT PROJECT Y56 –
ASSESSMENT HEARING AND ADOPTION OF RESOLUTION ADOPTING
ASSESSMENT:**

This was the date and time set for a public hearing to consider the assessment for the Downtown Alley Improvement Project Y56. Glenn Olson, Director of Public Works/City Engineer, indicated that Marshall Municipal Utilities had requested the relocation of their overhead power lines to underground as part of their city-wide electrical relocation project. In conjunction with that request is the installation of new facilities associated with the burial of the overhead lines, i.e. transformers and service lines. In the alley portion of the project from North 4th Street to North 5th Street, the storm sewer is also in need of reconstruction along with service lines leading to private businesses.

Council Member Ritter asked if there were any environmental issues. Mr. Olson indicated that they found steam heat lines with asbestos. Ritter moved, moved, Doom seconded, that the public hearing be closed. All voted in favor of the motion.

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Ritter moved, Doom seconded, the adoption of RESOLUTION NUMBER 3247, SECOND SERIES and that the reading of the same be waived. Resolution Number 3247, Second Series is a resolution Adopting the Assessment Roll for the Downtown Alley Improvement Project Y56, setting the interest rate at 5.8% and the assessment being paid in equal annual installments extending over a period of 8 years. All voted in favor of the motion, except Sanow who voted no.

CONSENT AGENDA – A. AUTHORIZATION TO DECLARE EXCESS CITY PROPERTY AS SURPLUS PROPERTY; B. AUTHORIZATION TO DECLARE EXCESS CITY PROPERTY AS SURPLUS PROPERTY POLICE DEPARTMENT ITEMS; C. CONSIDERATION OF APPROVAL BILLS/PROJECT PAYMENTS; PRELIMINARY PLAT OF CARR ESTATES THIRD ADDITION – INTRODUCTION OF PRELIMINARY PLAT AND CALL FOR PUBLIC HEARING:

Sanow moved, Ritter seconded, that the following consent agenda items be approved:

Authorization to declare excess city property as surplus property and that the proper city personnel be authorized to dispose of surplus City property at a Rummage Sale to be held on Crazy Days, advertised for sale or based on their value auctioned on-line at the state site.

Authorization to declare bicycles as surplus property and that the proper city personnel be authorized to dispose of these bicycles by donating them to a positive program within Marshall, be sold by the Police Department or crushed.

That the following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 65527 through 65694.

The introduction of the preliminary plat of Carr Estates Third Addition and call for a public hearing to be held at 5:30 P.M. on July 14, 2009.

All voted in favor of the motion.

AMATEUR SPORTS COMMISSION REQUEST RESOLUTION OF SUPPORT STATE 2010 CAPITAL BONDING REQUEST FOR CIVIC CENTER:

Jane Willett, Chair of the Southwest Regional Amateur Sports Commission Inc., Board of Directors; and Chris Hmielewski, Athletic Director at SMSU; were in attendance at the meeting to request a Resolution of Support for State 2010 Bonding. Ms. Willett indicated that the Southwest Regional Amateur Sports Commission, Inc. Board of Directors is recommending the city council adopt a resolution of support for state bonding in the amount of \$4 million for the construction of facilities.

This request is for \$4,000,000 in state funding to acquire land, pre-design, design, construct, furnish and equip a new sports center in Southwest Minnesota in Lyon County, City of Marshall. The multi-purpose sports building would feature two ice sheet surfaces that will have the flexibility of being converted to six volleyball and/or six basketball courts or indoor field turf. In addition, the sports center would also include 10 outdoor soccer / athletic fields that could be used for soccer, lacrosse, rugby, football and other field events. The intent of developing the sports center in this region is to broaden the amateur sports tourism market and potential economic impact to SW Minnesota. This facility would be 80,000 square feet.

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This facility would be owned by the City of Marshall. City Administrator Ben Martig indicated that there may be a need for a Joint Powers Agreement for operation between several entities including the City of Marshall, Marshall Public School, SMSU and other entities. Mayor Byrnes indicated that the adoption of this resolution would put this facility on the list for funding from the 2010 Capital Bonding and does not commit the City of Marshall.

Ritter moved, Doom seconded, the adoption of RESOLUTION NUMBER 3248, SECOND SERIES and that the reading of the same be waived. Resolution Number 3248, Second Series is a resolution Supporting the Application for the request for funding of the Amateur Sports Facility in the amount of \$4,000,000 from the State 2010 Capital Bonding. All voted in favor of the motion, except Hulsizer who voted no.

CONSIDERATION OF MERIT CENTER RESOLUTION OF SUPPORT STATE 2010 CAPITAL BONDING REQUEST:

Rob Yant, Director of Public Safety, and Stan Brewers, Chair of the MERIT Board were in attendance at the meeting to request approval of a resolution authorizing the City of Marshall to seek funding from the State of Minnesota through a 2010 Capital Appropriation. This resolution is needed to go with the application to show the City's support and commitment to the budget request.

Mr. Yant indicated that the M.E.R.I.T. Center provides important training to our region and community and with the addition of the funds being sought the facility can offer even more critical training opportunities for the region that could not be obtained by individuals in their own communities. A key part of this is a range of driver's training though both actual driving in a controlled environment and driving simulators. Other important parts of this initiative are to expand safety training for wind industry personnel and first responders and responder training for ethanol emergency responses such as transportation spills and fires.

Council Member asked what the projected net income would be of the driving course. Mr. Brewers indicated that the income is unknown at this time but this facility would be used for drivers training and training for area Public Safety Departments. Mr. Yant indicated that currently law enforcement pays between \$200 and \$300 per day per officer for this training.

Sanow moved, Boedigheimer seconded, the adoption of RESOLUTION NUMBER 3249, SECOND SERIES and that the reading of the same be waived. Resolution Number 3249, Second Series is a resolution Authorizing a Request for 2010 Capital Appropriation from the State of Minnesota for the Minnesota Emergency Response and Industrial Training (M.E.R.I.T.) Center in the amount of \$2,140,000. All voted in favor of the motion.

CONSIDERATION OF PSIC FUNDS GRANT APPLICATION AUTHORIZATION:

Rob Yant, Director of Public Safety, is requesting that the City of Marshall commit to use its share of PSI Funding and to have Ben Martig sent a letter to Southwest Radio Board indicating that the City of Marshall, Department of Public Safety, has the funds to cover its 20% match for the ARMER Grant Funds.

Mr. Yant indicated that the FCC is mandating that all local governmental radios go to narrow band operation by 2013. The State of Minnesota is working towards that goal along with promoting radio interoperability through the establishment of the ARMER 800 MHz radio system. This was set up initially in the metro area and is now being built out in the Central Minnesota / St. Cloud area and Southwest Minnesota / Rochester area. The system is now being

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set up to go statewide. The organization with a Regional Radio Board (RRB), Regional Advisory Committee (RAC), and a User's Group for the Southwest Region has been set up. Funds have been allocated equally for each member in this region for initial ARMOR funding; 13 counties and the Cities of Marshall and Worthington. The allocation is \$34,574.20 with a 20% local match of \$8,643.53. There is \$10,000 included in the Police Department budget for this.

Doom moved, Ritter seconded, that the City of Marshall commit to use its share of the PSIC Funding and that City Administrator Ben Martig send a letter to Southwest Radio Board indicating that the City of Marshall has the funds to cover its 20% match for the ARMER Grant Funds. All voted in favor of the motion.

DISCUSSION OF LIBRARY BOARD REQUEST FOR ADDITIONAL FUNDING:

Ben Martig, City Administrator, provided an update on the Library request for additional funding for the proposed Library. Mr. Martig indicated that the library has requested the city to use \$1 million from the proceeds of the sale of the city-owned Avera Marshall Regional Medical Center to Avera Health of Sioux Falls, South Dakota. Mr. Martig indicated that he has met with Carr, who has verbally committed \$2 million toward a new library. Mr. Carr's commitment does have a condition that the Robert L. Carr Company would serve as the general contractor. Mr. Martig indicated that the City could choose to use a construction manager for the project, which would allow them to choose the Robert L. Carr Company as that manager. The City does not need to take bids for a contract with a construction manager. A construction manager would oversee the project and review the plans and bids along with City Officials. Mr. Martig briefly reviewed the benefits and drawbacks to Construction Manager versus General Contractor bid.

Mr. Martig reviewed other financing options that included: USDA Financing; G.O. Bonds and Build America Bonds. Council Member Boedigheimer indicated that he was not in favor of committing any of the hospital funds at this time. He indicated that there should be a referendum vote by the citizens for a new library facility. Council Members Ritter, Sanow and Doom were in favor of Mr. Martig continuing to research funding options. Kathleen Asche, Chair of the Library Board, did not have any comments at this time.

Mayor Byrnes called for a 5-minute recess at 7:40 P.M.

REQUEST TO MOVE DWELLING INTO A RESIDENTIAL DISTRICT AT 601 HERITAGE PLACE – CALL FOR PUBLIC HEARING:

Glenn Olson, Director of Public Works/City Engineer, reviewed the request from Ron Schilling, Alluvus, LLC, to move a dwelling from 3446 - 255th Avenue, Marshall, MN to 601 Heritage Place. At the August 18, 2008 meeting the City Council denied the request until the three most recent homes were completed. This request was heard again on October 20, 2008, and was denied. This one story, three bedroom dwelling with attached garage is estimated to have been constructed in 1961. There is 1288 S.F. on the first floor. The dwelling has been examined by the Building Official and found to be in reasonable condition to move and in reasonable compliance with the MN State Building Code. Doom moved, Ritter seconded, that a public hearing be scheduled for 5:30 P.M. on July 14, 2009 to consider this request. All voted in favor of the motion except Sanow who voted no and Council Member Boedigheimer was absent for the vote on this item.

REVIEW OF MN/DOT DARK SIGNALS POLICY AND CONSIDERATION OF TEMPORARY LOCAL TRAFFIC CONTROLS:

Glenn Olson, Director of Public Works/City Engineer, reviewed the memo received from MN/DOT in regard to Dark Signals. He indicated that in the event of a localized power outage, MN/DOT will not be placing any additional traffic control devices, backup power supplies or STOP signs at intersections and will wait for the power to be restored. The laws regarding an uncontrolled intersection will be in effect (MN Statute 169.20, Subdivision 1: Approaching intersection. When two vehicles enter an uncontrolled intersection from different highways at approximately the same time, the driver of the vehicle on the left will yield the right-of-way to the vehicle on the right.). He also indicated that if a city or county feels a strong need to install stop signs, they may do so; however they will also assume the responsibility for any lawsuits that may occur as a result of an accident.

MN/DOT indicated that they need to be made aware of all dark signals. Their personnel will then contact the power provider to find out when the power will be restored. If the power will be out for a long period of time, MN/DOT traffic personnel will decide if additional measures are needed. This will be handled on a case by case basis.

It was indicated that when the power comes back on the lights are set to flash for a certain amount of time and then go back into their regular cycle and if temporary signage is placed at the intersection there could be some confusion. Rob Yant, Director of Public Safety, indicated that it is standard policy to be dispatched for traffic control until the Street Department is able to place temporary signage. City Attorney Dennis Simpson indicated that MN/DOT can indicate the City assumes liability but in the case of a lawsuit the Judge and Jury will make the final decision.

It was the general consensus of the council that the City place temporary signage at intersections where dark signal incidents occur.

T.H. 23 PEDESTRIAN UNDERPASS PROJECT – CONSIDER AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH BOLTON & MENK, INC.

Glenn Olson, Director of Public Works/City Engineer indicated that the City of Marshall entered into a professional services agreement for the design of a pedestrian underpass under T.H. 23. This contract included the design of a double-box culvert underpass with concrete headwalls, trail segments to transition to the existing grade, lighting, erosion control and turf establishment and other miscellaneous items. Specifically not included in the project scope were any T.H. 23 roadway improvements, adjacent roadway design and storm sewer drainage.

Upon review of the project, coordination with Mn/DOT's T.H. 23 resurfacing project for 2010, future development of the Tiger Park Addition area east of T.H. 23, and requirements by Mn/DOT and federal funding requirements, Amendment No. 1 to the Professional Services Agreement with Bolton & Menk, Inc., is being requested.

The Amendment includes significant changes in the scope of work. Mn/DOT has required the City to provide full construction plans and specifications for the T.H. 23 roadway and adjacent frontage roads impacted by the installation of the pedestrian underpass, including a Value Engineering Study required by the State for estimated projects greater than \$25 million.

The City's portion of the joint Mn/DOT City project is estimated at \$1,317,500. Normally, this project would be funded 80% Federal / 20% City. This would make the Federal/City contributions for the project to be \$1,054,243 / \$263,257. However, the State only had a limited amount of Federal funds available changing the participation to

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\$914,243 / \$403,257, or approximately 69% / 31%. These estimated costs do not include engineering expenses. If the project comes in under estimate, the amount of Federal funds available for the project will remain the same up to a maximum of 80% of the construction dollar amount. Even though the City's portion of the joint project is fairly minor compared to the total cost, the City's portion of the project increases the cost to above \$25 million, and therefore the cost for the Value Engineering Study must be borne by the City. Actual costs and participation will be finalized after bids are received. The local project costs can come from any local source, including the Municipal State Aid System (MSAS) account.

Doom moved, Boedigheimer seconded, that the proper city personnel be authorized to enter into Amendment No. 1 to Professional Services Agreement for Trunk Highway 23 Pedestrian Underpass with Bolton & Menk, Inc. All voted in favor of the motion.

CONSIDER AUTHORIZATION TO ADVERTISE FOR BIDS FOR PEDESTRIAN BRIDGE:

Glenn Olson, Director of Public Works/City Engineer, indicated that the City is in the process of the replacement of deficient pedestrian bridges crossing the Redwood River at various locations. The City has replaced three bridges over the past several years and has four remaining pedestrian bridges to replace. Two of those locations have received priority replacement status:

1. The South 5th Street to Legion Field connection
2. The East Marshall Street & North 1st Street to Liberty Park connection

The condition of the South 5th Street to Legion Field connection pedestrian bridge is not in good condition but has had its approaches replaced in the last couple of years. This pedestrian bridge would match the existing bridge located just west of the baseball diamond. The East Marshall Street & North 1st Street to Liberty Park connection pedestrian bridge is in poor condition and will be closed this year if not replaced. However, there is a second pedestrian bridge crossing the Redwood River just one block south of this location at East Redwood Street to North 1st Street. This pedestrian bridge would match the existing bridge located at Liberty Park.

The estimate cost of the project will depend upon which location is chosen as the lengths of the bridges at these locations differ. The estimated costs are between \$55,000-\$65,000 for either of the two bridges. The variation in estimate is due to DNR requirements for slope protection of the river bank adjacent to the abutments for the bridges. The 2009 Parks budget (101-70276-5530) included \$50,000 for a pedestrian bridge.

Sanow moved, Doom seconded, that the proper city personnel be authorized to advertise for bids for a pedestrian bridge located at South 5th Street (Legion Field) and East Marshall Street & North 1st Street (Liberty Park). All voted in favor of the motion.

CONSIDER RESOLUTION OF AMENDMENT TO THE JOINT RESOLUTION OF ORDERLY ANNEXATION WITH LAKE MARSHALL TOWNSHIP:

Glenn Olson, Director of Public Works/City Engineer indicated that the City has recently acquired property from the Marie Doom Estate for the purposes of a public roadway and utility corridor (Clarice Avenue) from Susan Drive north to the north line of the Doom property. An additional piece of property just to the north of this acquisition had been previously acquired for sanitary sewer and roadway purposes. Clarice Avenue has been designated as a collector street in our Municipal State Aid System and is in need of development. In order to accomplish this development, the City has worked with Lake Marshall Township to amend the orderly annexation agreement and annex this property for roadway and utility purposes. On June 9, 2009, City staff met with the Lake Marshall Township Board and the Township approved the Joint Resolution.

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Doom moved, Ritter seconded, the adoption of RESOLUTION NUMBER 3250, SECOND SERIES and that the reading of the same be waived. Resolution Number 3250, Second Series is a resolution in the Matter of the Amendment to the Joint Resolution for Orderly Annexation between the Town of Lake Marshall and the City of Marshall, Minnesota Pursuant to Minnesota Statutes 414.0325, Subd. 1. This resolution amends the orderly annexation area designating an additional 1.13 acres, approximately, to the 1982 Orderly annexation Agreement and then annexes the entire 1.73 acres more or less. All voted in favor of the motion.

CONSIDERATION OF MN WEST LEASE FOR USE OF MERIT CENTER:

Ben Martig, City Administrator, indicated that city staff has negotiated a lease with MN West. This lease includes a 3-year term and factors in rent remaining at \$6500.00 per year for each year plus a repayment of the past rent in the amount of \$6500.00. In consideration of budgetary restraints of MN West following State reductions in funding as well as past rent considerations staff is comfortable supporting an agreement to make whole on past due plus rent remaining flat for three years. However, the overall rent should be renegotiate at the end of the lease and consider a "fair market rent" while also considering cost allocation for the expense of operating the facilities.

Boedigheimer moved, Sanow seconded, the proper city personnel be authorized to enter into a lease with Minnesota West for use of the MERIT Center. This lease is for the period of July 1, 2009 through June 30, 2012 with rent being \$7,500 for the first year; \$9,000 for the second year and \$9,500 for the third year. All voted in favor of the motion.

CONSIDERATION OF STUDIO ONE LEASE AND RELOCATION:

Ben Martig, City Administrator, indicated that the Cable Commission has completed an analysis of locations near the downtown district for the Studio 1 location. The relocation has been recommended by the Cable Commission following completion of their analysis at a special meeting of Tuesday, June 15. The recommended location is 113 N. 3rd Street.

Facility upgrades with a new location will provide for expanded video studio including green screen & future green screen studio application; recording studio including donated soundboard; expanded separate editing space & connection to Prairie Net WAN fiber network; visible, accessible and professional image; and anchor facility for the promotion of a downtown Arts & Entertainment District

Operational improvements will be made to Studio 1 Cable Access Community programs (Tiger Talk, News & Views, City Insider); City communications and promotions; expand SMSU & MHS uses; and contract services for recording studio, video production and green screen applications.

Mr. Martig indicated that city staff and the city attorney has reviewed the lease and is recommending that the security deposit requirement under Section 2 be removed; and there be a 6-month termination right in the event of loss of franchise fees (partial or permanent) that will impact the ability to pay be added to the lease.

Mr. Martig indicated that Greig-Gregerson Management, LLC have agreed to provide the following build out for the special needs of Studio One: painting entire facility per lessee request of colors; refurbishing of awning (paint, replace sheet metal on back, clean, etc); lessor payment of custom built counter for lobby per lessee request. Lessor can own it at the end since they are paying for it (see section 9) of the lease agreement; new carpet or cleaning option for tenant to clean and then base rent reduction of \$85/month for the entire term if we choose that option);

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replace linoleum in bathroom and back storage & kitchen area with lessee approval of materials; and amend to have lessor pay for all telephone and cable wiring as needed.

Boedigheimer moved, Sanow seconded, that the proper city personnel be authorized to enter into a Lease Agreement and Memorandum of Understanding with Greig-Gregerson Management, LLC for Studio One to lease 113 North 3rd Street effective July 1, 2009 with rent being pro-rated to the date of completion of the construction work, the monthly rent being adjusted and based on City staff recommendation to clean or replace the carpet. All voted in favor of the motion.

CONSIDER APPOINTMENTS TO BOARDS AND COMMISSIONS:

Per the recommendation of Mayor Byrnes, Doom moved, Ritter seconded, and was unanimously approved that the following appointments be made to the various boards and commissions:

- Police Civil Service – Michael Wood be appointed for a term to expire on May 31, 2012
- Economic Development Commission – Pat Lutterman be appointed for a term to expire on May 31, 2015
- Housing Commission – Ajeet Yadav be appointed for a term to expire on May 31, 2012

COUNCIL MEMBER COMMISSION/BOARD LIAISON REPORTS:

Reports by the Mayor and Council Members of the various Boards and Commissions were presented at this time:

Byrnes No report.

Hulsizer Human Rights Commission met on June 22nd.

Doom No report.

Sanow No report.

Boedigheimer No report.

Ritter No report.

STAFF REPORTS:

Ben Martig, City Administrator, indicated that the LGA cuts for the City of Marshall are \$232,820 for 2009 and \$537,205 for 2010. He indicated that they would be moving forward and set up a budget meeting to be held on June 29th. The Auditors for the City of Marshall have indicated that will be requesting an extension with the State Auditors Office for the submission of the 2008 Audit Report and they will be in Marshall on July 7th to complete their work.

COUNCIL MEMBER INDIVIDUAL ITEMS:

Other items brought forth by the Mayor and Council Members included: an update on the dead trees in the downtown area – some are under warranty and will be replaced; Council Member Boedigheimer indicated that he received a call from the City of Ghent requesting a meeting to discuss contracting for building inspection services; the Lhotka, Timmerman and Day (LTD) Motorcycle Memorial Tour will pass through Marshall on Saturday, June 27th.

REVIEW OF PENDING AGENDA ITEMS:

There were not questions on the pending agenda items.

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INFORMATION ONLY:

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

	Applicant	Location Address				Description of Work	Valuation
1.	Elaine Hamner	622	South	4th	Street	Reroof	\$4,000
2.	Kerry J. Kerr	613		Winifred	Drive	Garage	\$25,000
3.	Mike Slagel Construction	300	North	Hill	Street	Deck	\$800
4.	Mike Slagel Construction	804		Elizabeth	Street	Deck	\$1,200
5.	Jeff Gladis Construction	404		Kathryn	Avenue	Reroof	\$4,700
6.	Lanbo Properties LLC	600		Roosevelt	Street	Exterior Doors / Reroof	\$10,000
7.	Thooft Built Construction, LLC	707		Brian	Street	Interior Remodel	\$1,500
8.	James Lozinski Construction Inc.	515		Village	Drive	Reroof	\$10,000
9.	James Lozinski Construction Inc.	517		Village	Drive	Reroof	\$10,000
10.	Dean A. Koenen	207		George	Street	Reroof	\$5,800
11.	Dwayne Johnson & Charles B. Holland	1404	East	Lyon	Street	Install Doors	\$1,000
12.	Chad & Joan Estebo	609		Cougar	Court	Deck	\$3,500
13.	Gary Vlaminck Construction	607		Lawerence	Street	Deck	\$2,000
14.	Van Harris	105	South	Whitney	Street	Reroof	\$4,700
15.	Avera Marshall Regional Medical Center	300	South	Bruce	Street	Second Floor Remodel	\$10,000
16.	Avera Marshall Regional Medical Center	300	South	Bruce	Street	Clinic Remodel	\$42,000
17.	Joel J. DeVos	117		Ranch	Avenue	Reroof	\$5,000
18.	Rick Slagel Construction Inc	1213		Prospect	Road	Reroof	\$4,000
19.	Rick Slagel Construction Inc	1315		Horizon	Drive	Exterior Remodel	\$7,000
20.	Eric Miller	1130		David	Drive	Deck	\$9,800
21.	Rick & Janice Robinson	608		Jefferson	Circle	Reroof Garage	\$1,400

DETERMINATION BY CITY COUNCIL TO GO INTO CLOSED SESSION PURSUANT TO MINNESOTA STATUTE 13D.05 SUBD. 3(C)(3) RELATED TO THE PURCHASE OF THE MIDDLETON PROPERTY FOR THE TIGER LAKE EXPANSION PROJECT:

Sanow moved, Boedigheimer seconded, that the Council go into closed session at 9:03 P.M. pursuant to Minnesota Statute 13D.05 Subd. 3(c)(3) related to the purchase of the Middleton Property for the Tiger Lake Expansion Project. All voted in favor of the motion.

Those present at the closed session included: Mayor Byrnes, Council Members Hulsizer, Doom, Sanow, Boedigheimer and Ritter. Staff present included: Ben Martig, City Administrator; Dennis Simpson, City Attorney; Glenn Olson, Director of Public Works/City Engineer; and Thomas M. Meulebroeck, Finance Director/City Clerk.

The Council came out of closed session at 9:09 P.M.

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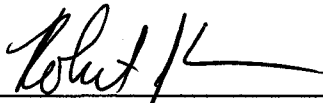
DETERMINATION BY CITY COUNCIL TO GO INTO CLOSED SESSION PURSUANT TO MINNESOTA STATUTE 13D.05 SUBD. 3(C)(3) REGARDING THE PURCHASE OF THE PROPERTY NORTH OF THE MERIT CENTER – STORMWATER:

Sanow moved, Boedigheimer seconded, that the Council go into closed session at 9:10 P.M. pursuant to Minnesota Statute 13D.05 subd. 3(c)(3) regarding the purchase of the property north of the MERIT Center – Stormwater. All voted in favor of the motion.

Those present at the closed session included: Mayor Byrnes, Council Members Hulsizer, Doom, Sanow, Boedigheimer and Ritter. Staff present included: Ben Martig, City Administrator; Dennis Simpson, City Attorney; Glenn Olson, Director of Public Works/City Engineer; and Thomas M. Meulebroeck, Finance Director/City Clerk.

The Council came out of closed session at 9:17 P.M.

Doom moved, Boedigheimer seconded, that the meeting be adjourned. All voted in favor of the motion.



Mayor of the City of Marshall

ATTEST:



Financial Director/City Clerk