

REGULAR MEETING – NOVEMBER 10, 2009

The regular meeting of the Common Council of the City of Marshall was held on November 10, 2009 in the Professional Room of the 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, DeCramer, 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; Harry Weilage, Director of Community Services; 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:**

Sanow moved, Doom seconded, that the minutes of the regular meeting held on October 27, 2009 be approved as corrected and that the minutes of the special meeting held on November 3, 2009 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

**RESOLUTION OF APPRECIATION FOR BRIAN GADD:**

Sanow moved, Doom seconded, the adoption of RESOLUTION NUMBER 3313, SECOND SERIES and that the reading of the same be waived. Resolution Number 3313, Second Series is a resolution expressing the City of Marshall's Appreciation to Brian Gadd, City of Marshall Police Sergeant. Rob Yant, Director of Public Safety, and Mayor Byrnes thanked Brian for his twenty-five years of service with the Marshall Police Department and the City of Marshall. All voted in favor of the motion.

**INFORMATIONAL MAYOR'S PROCLAMATION WELCOMING FOREIGN EXCHANGE STUDENTS FOR 2009/2010:**

At this time Mayor Byrnes read the Mayor's Proclamation Welcoming the following Foreign Exchange Students for 2009/2010. Mayor Byrnes then had the following Foreign Exchange Students introduce themselves.

Mario Biondi from Italy  
Nuttida Kunda from Thailand  
Duc Vu Trung from Germany  
Hannah Michels from Germany  
Ajjima Phosayanusarn from Thailand

Hulsizer moved, DeCramer seconded, to adopt the Mayor's Proclamation Welcoming Foreign Exchange Students for 2009/2010. All voted in favor of the motion.

**PUBLIC HEARING ON ORDINANCE AMENDING CABLE COMMISSION:**

This was the date and time set for a public hearing to consider an Ordinance Amending the Cable Commission. Ben Martig, City Administrator, indicated that the changes to the City Code will help clarify the roles and responsibilities of the Cable Commission. The Legislative & Ordinance Committee is recommending approval of the amendments to various sections of the City Code. They did recommend one small addition to allow for two members of the commission to call for a special meeting in addition to the chairman. This addition has been added to the ordinance under Section 2-184. Sanow moved, DeCramer seconded, the public hearing be closed. All voted in favor of the motion.

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Sanow moved, Doom seconded, the adoption of ORDINANCE NUMBER 616, SECOND SERIES and that the reading of the same be waived. Ordinance Number 616, Second Series is an ordinance Amending Chapter 2 of the Marshall City Code of Ordinances as it relates to the Cable Television Commission. All voted in favor of the motion.

**AWARD OF BIDS PROJECT Y66: LIBERTY PARK PEDESTRIAN WALK BRIDGE AND PROJECT Y70: LEGION FIELD PARK PEDESTRIAN WALK BRIDGE – CONSIDER AWARD OF PROPOSALS FOR BRIDGE ABUTMENT STRUCTURES:**

Proposals were received, opened and read on November 5, 2009 for the Liberty Park Pedestrian Walk Bridge Project Y66 and the Legion Field Park Pedestrian Walk Bridge Project Y70. The proposals received, opened, and read were from:

**Liberty Park Pedestrian Walk Bridge Project Y66**

Bladholm Construction, Inc.  
Marshall, Minnesota  
\$11,595.00

Chuck Hess Concrete & Masonry Inc.  
Marshall, Minnesota  
\$16,485.00

**Legion Field Park Pedestrian Walk Bridge Project Y70**

Bladholm Construction, Inc.  
Marshall, Minnesota  
\$11,595.00

Chuck Hess Concrete & Masonry Inc.  
Marshall, Minnesota  
\$16,195.00

Glenn Olson, Director of Public Works/City Engineer, indicated that these proposals are for the installation of the bridge abutment structures and that proposals have been received for the actual bridge, which will be considered at a later date. Doom moved, DeCramer seconded, that the proposals for the installation of the Bridge Abutment Structures for the Liberty Pedestrian Walk Bridge Project Y66 and for the Legion Field Pedestrian Walk Bridge Project Y70 be awarded to Bladholm Construction, Inc., Marshall, Minnesota in the amount of \$11,595.00 for each bridge. All voted in favor of the motion.

**CONSENT AGENDA – A. RESOLUTION ACCEPTING DONATION OF PERSONAL PROPERTY FROM ADM; B. APPROVAL TO CLOSE THE SPECIAL REVENUE FUND FOR RECYCLING CONTAINERS; C. TEMPORARY ON-SALE LIQUOR LICENSE FOR MARSHALL AREA CHAMBER OF COMMERCE FOR DECEMBER 7, 2009; D. AUTHORIZATION TO APPROVE SURPLUS PROPERTY – A. SWMC CAT ITEMS AND B. STREET DEPARTMENT MOWERS; E. APPROVAL BILLS/PROJECT PAYMENTS:**

Council Member Boedigheimer requested that item A, which is a resolution accepting donation of personal property from ADM and item D-a, which is authorization to approved surplus property of SWMN Cat items be removed from the consent agenda.

Doom moved, Boedigheimer seconded, that the following consent agenda items be approved:

Authorization to close the Special Revenue Fund for Recycling Containers. These funds will be transferred to the Capital Project Fund “429” Revolving Fund and will be dedicated to adding recycling containers in the City Parks.

The approval of a Temporary On-Sale Liquor License for the Marshall Area Chamber of Commerce to use on December 7, 2009 at Bremer Bank, 208 East College Drive. The fee for this license is \$30.00.

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Authorization to declare the Tiger Flail Mower – Model TRF 96” 3-pt. center hitch and the Tiger Flail Mower – Model TRF1094 3-pt. off-set hitch as surplus property.

The following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher no. 67179 through 67384.

All voted in favor of the motion.

Council Member Boedigheimer indicated that a donation of personal property should be acted on individually so that the ADM could be thanked by the council.

Boedigheimer moved, Ritter seconded, the adoption of RESOLUTION NUMBER 3314, SECOND SERIES and that the reading of the same be waived. Resolution Number 3314, Second Series is a resolution Accepting the Donation of Personal Property from Archer Daniels Midland Company (ADM) by the City of Marshall, Minnesota. This resolution accepts a cash donation in the amount of \$5,000 from ADM to be used for the Marshall Volunteer Fire Department’s Confined Space Equipment and a River Boom. All voted in favor of the motion.

Council Member Boedigheimer indicated that the pagers and chargers were purchased by the SWMN CAT with a grant and felt that they should all be donated. Boedigheimer moved, Sanow seconded, that the 14 pagers and 11 chargers from the SWMN CAT be declared as surplus property and that they be donated to the Ivanhoe Fire Department. All voted in favor of the motion.

**APPROVAL OF EMERGENCY OPERATION PLAN FOR THE CITY OF MARSHALL:**

Rob Yant, Director of Public Safety, indicated that the City of Marshall has been working for several years on developing a completely new Emergency Operations Plan (EOP). In Minnesota local government has primary responsibilities for emergency response within that jurisdiction. When local resources are overwhelmed then the process begins to involve broader governmental bodies to provide assistance. There is no mandate for most cities to have an EOP, but having a plan before an event occurs helps improve the capabilities for any response. In the City of Marshall, at the designation of the Mayor, the Public Safety Director is the Emergency Manager for the City. Mr. Yant was certified many years ago as an Emergency Manager at both the Federal and State level. Marshall Police Corporal Todd Ellis has also completed the training for these certifications. Mr. Yant indicated that accomplishing the City’s desired preparedness is an ongoing process. To take community preparedness to the next level the City needs to have a plan in place to help prepare community resources for an emergency response. Many stakeholders, including Lyon County Emergency Manager Tammy VanOverbeke, have critiqued and help make this a workable document. This document was developed to use an “all-hazards” approach and to utilize NIMS (National Incident Management System) and an Incident Command Framework.

Mr. Yant indicated that this is a very good foundation for a community response, but there are important areas that have yet to be addressed; responding to an “active shooter” event, preparing an emergency response for special populations, preparing for dealing with animals, etc. are not included at this time but will need to be in the future. This document will also need to be used in Tabletops and Exercises to see if the plan works as planned. So this will need to be a living document, evolving and developing.

Council Member Boedigheimer indicated that he was concerned with receiving this on Friday and having to make a recommendation on Tuesday, therefore he moved to table the approval of the Emergency Operation Plan to allow time to review. This motion died due to the lack of a second.

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Ritter moved, DeCramer seconded, the adoption of RESOLUTION NUMBER 3315, SECOND SERIES and that the reading of the same be waived. Resolution Number 3315, Second Series is a resolution Authorizing Adoption of the Emergency Operation Plan for the City of Marshall, Minnesota. All voted in favor of the motion, except Boedigheimer who voted no.

**CONSIDERATION OF APPROVAL OF 2009 LABOR AGREEMENT MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MARSHALL AND AFSCME:**

Ben Martig, City Administrator, indicated that when the 2009 contract was settled on April 10, 2009, the contract contained a wage opener clause; allowing AFSCME to re-open the contract on wages only following the close of the legislative session. The bargaining unit has agreed to a one-year (2009) contract with a 0.00% wage increase. At the City's request, the bargaining unit has also agreed to amend their contract language to coincide with the City's newly adopted personnel policy manual for the following articles: Overtime, Vacation, Sick Leave, Bereavement Leave, and Severance Pay. No other significant changes were made to the contract. Ritter moved, Doom seconded, that the proper city personnel be authorized to enter into the 2009 Labor Agreement Memorandum of Understanding with AFSCME. All voted in favor of the motion.

**CONSIDER APPROVAL OF WIND TOWER MOVING EXPENSES FOR THE MERIT CENTER:**

Rob Yant, Director of Public Safety, Stan Brewers, Warren Jorgenson and Mike Greenman from SMI were in attendance at the meeting to review the request to move a Wind Tower base tube from Lake Benton, Minnesota to Porter, Minnesota. Mr. Yant indicated that Mike DeVries of AES Wind Generation of Lake Benton had contacted him and indicated that they have a tower base available and that they would give it to the MERIT Center if the City wants it. The complicating issue is that they are also donating one to MN West's technical college in Canby for their degree program. They want the unit as soon as possible and it would be much cheaper to transport both together as they would go to SMI Hydraulic in Porter to be overhauled before they are set for delivery to their respective sites. Mike Greenman from SMI is an Industrial Representative on our MERIT Commission and he is trying to coordinate the donation and transportation of the wind tower base tubes. Mr. Greenman had made a general estimate for the installation of the base unit at the site but couldn't do an exact one until he knew the specific unit that was being donated from AES. Mr. Greenman now knows this but hasn't had a chance to revise his draft estimate, but he had total cost of over \$200,000 as the cost of concrete and rebar used in the base, which has more than doubled in the last two years. Mr. Greenman is willing to use his professional influence to get the cost as low as possible because he is very committed to the project and knows there is limited funding, but funding would at least have to cover any direct costs.

Mr. Yant indicated that the value of the base as scrap is \$3,200, but to replace it with a new one would be over \$100,000. AES will donate the base section and its loading onto a transport trailer. SMI has received an estimate from Mike Cotton Trucking of Volga SD to move the tube from Lake Benton to Porter and later from Porter to Marshall for \$5,500. There will be a crane cost to unload and load the unit in Porter but that is not expected to be significant as the crane is already in place and is being used on the second unit going to MN West. The costs of developing the tube into a suitable training prop is unknown but Mike Greenman has indicated that the initial costs for this will be \$22,500. However, the actual cost will depend upon final design for the tube and what costs he can get that aren't billed to the project. Once the tube is prepared it would be transported to Marshall. There will be a crane cost to unload it. If the base were complete it could be put on the base at that time, but if not there would be an additional cost to bring the crane back and have it erect the tube. Mr. Greenwood is still estimating the base costs at about \$250,000.

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Mr. Yant indicated that there are number of reasons to go forward with this at this time even though costs and details are still not totally defined. The tube and the cranes to move them are in place now. Once the winter season has arrived they will not be. The second tube for MN West has some cost savings in joint transportation and crane service. Finally, the wind industry companies that are donating, transporting, and refurbishing this unit are virtually entirely unavailable during the summer months. Mr. Yant indicated that if they don't take advantage of this opportunity now; this project and the \$300,000 awarded from the State of Minnesota may have to be forfeited due to the local inability to complete the project in a timely manner. The City currently has another funding request in process and would not be looked upon favorably to have received previous funding that was forfeited.

Mr. Yant indicated that this Wind Tower base tube was delivered to SMI in Porter earlier today. Mr. Greenman from SMI indicated that he has inspected the tower and found it to be in good condition.

Doom moved, Ritter seconded, the adoption of RESOLUTION NUMBER 3316, SECOND SERIES and that the reading of the same be waived. Resolution Number 3316, Second Series is a resolution Accepting the Donation of Property from AES Wind Generation by the City of Marshall, Minnesota. This resolution accepts a Wind Tower Base Tube to be used at the MERIT Center. The motion also includes authorization for \$5,500 for the transportation expense to be paid from the "429" account and they are in support of paying an estimated \$22,500 for the work to be completed by SMI. All voted in favor of the motion.

**M.A.T. BUS GARAGE EXPANSION PROJECT – CONSIDER CHANGE ORDER NO. 1 WITH DULAS CONSTRUCTION, INC:**

Glenn Olson, Director of Public Works/City Engineer, indicated that at the preconstruction conference for the new M.A.T. Garage Expansion Project Western Community Action requested the installation of bollard pipes and bollard covers colored safety yellow to be placed on the inside of the garage doors. Western Community Action indicated that they had previous problems with damages to the garage doors and frames from buses coming in contact with the edges of the door openings in their other garage. Ritter moved, Doom seconded, the approval of Change Order No. 1 with Dulas Construction, Inc., for an increase in the amount of \$1,510.00. This change order is for the installation of bollard pipes and bollard covers colored safety yellow to be placed at the inside of the garage doors for the new M.A.T. Garage. All voted in favor of the motion.

**PROJECT Y44: LEGION FIELD ROAD IMPROVEMENT PROJECT – CONSIDER RESOLUTION AMENDING ASSESSMENT ROLL.**

Glenn Olson, Director of Public Works/City Engineer, indicated that revisions to the Legion Field Road Improvement Project Y44 were made to various parcels for additional improvements at the request of individual property owners and one recalculation due to the revision of the parcel property width. Because of these changes the Assessment Roll that was adopted on July 14, 2009 needs to be amended.

Sanow moved, Doom seconded, the adoption of RESOLUTION NUMBER 3317, SECOND SERIES and that the reading of the same be waived. Resolution Number 3317, Second Series is a resolution Amending Resolution Number 3252, Second Series Adopting Assessment for Legion Field Road Improvement Project Y44. All voted in favor of the motion.

**PROJECT Y52: T.H. 59 / ONTARIO ROAD IMPROVEMENT PROJECT – CONSIDER RESOLUTION AMENDING ASSESSMENT ROLL:**

Glenn Olson, Director of Public Works/City Engineer, indicated that revisions to the T.H. 59 and Ontario Road Improvement Project Y52 were made to on parcel for additional improvements at the request of an individual property owner. Because of this change the Assessment Roll that was adopted on September 22, 2009 needs to be amended.

DeCramer moved, Ritter seconded, the adoption of RESOLUTION NUMBER 3318, SECOND SERIES and that the reading of the same be waived. Resolution Number 3318, Second Series is a resolution Amending Resolution Number 3298, Second Series Adopting Assessment for T.H. 59 and Ontario Road Improvement Project Y52. All voted in favor of the motion.

**PROJECT Y01: DOWNTOWN ALLEY & STORM SEWER REPLACEMENT PROJECT – CONSIDER RESOLUTION AMENDING ASSESSMENT ROLL:**

Dennis Simpson, City Attorney, indicated that the City Council previously approved special assessments for Project Y01 Downtown Alley and Storm Sewer Replacement Project. Joseph V. Bot individually and on behalf of J.V.B. Enterprises, Inc. appealed those special assessments related to his properties affected by the special assessments. Court trial was held before the Honorable Leland Bush, Judge of District Court. The Judge did issue his order dated March 5, 2009. Special assessments for the Bot properties affected by the alley/storm sewer replacement project were amended pursuant to court order. Mr. Simpson indicated that it is necessary to amend the special assessment roll confirming the amounts owed as set forth by court order. Total improvement due to Bot properties related to the downtown alley/storm sewer replacement project total \$2,600. Principal and interest payments had previously been made on this matter in the amount of \$6,362.92. Mr. Simpson indicated that approval of this resolution will require that the City repay to property owner Joseph V. Bot the total sum of \$3,762.92.

Sanow moved, Ritter seconded, the adoption of RESOLUTION NUMBER 3319, SECOND SERIES and that the reading of the same be waived. Resolution Number 3319, Second Series is a resolution Amending Special Assessments for the Downtown Alley and Storm Sewer Replacement Project Y01. This resolution provides for the assessment roll for the downtown Alley and Storm Sewer Replacement Project Y01 be amended pursuant to the court order dated March 5, 2009 and refund Joseph V. Bot the total sum of \$3,762.92. All voted in favor of the motion.

**PROJECT Y03: 2007 MAIN STREET PROJECT – CONSIDER RESOLUTION AMENDING ASSESSMENT ROLL:**

Dennis Simpson, City Attorney, indicated that the City Council previously approved special assessments for Project Y03 Main Street Reconstruction Project. Joseph V. Bot individually and on behalf of J.V.B. Enterprises, Inc. appealed those special assessments related to his properties affected by the special assessments. In accordance with Minnesota statute, the property owner had paid and deposited with Lyon County District Court, the total of the special assessments appealed. A court trial was held before the Honorable Leland Bush, Judge of District Court. The Judge did issue his order dated March 5, 2009, setting aside and vacating all special assessments levied against the Bot properties. The court determined that Project Y03 Main Street Reconstruction Project did not improve the property values of any of the Bot properties. Therefore the Judge set aside and vacated all special assessments levied against Bot properties. Mr. Simpson indicated that all monies previously deposited with Lyon County District Court by Joseph V. Bot individually or on behalf of J.V.B. Enterprises, Inc., have been refunded to property owner pursuant to District Court order.

Ritter moved, DeCramer seconded, the adoption of RESOLUTION NUMBER 3320, SECOND SERIES and that the reading of the same be waived. Resolution Number 3320, Second Series is a resolution Amending Special Assessments for 2007 Main Street Project Y03. This resolution provides for the assessment roll for the 2007 Main Street Project Y03 be amended pursuant to the court order dated March 5, 2009. All voted in favor of the motion.

**CONSIDER TOBACCO COMPLIANCE PROPOSED RESOLUTION SUSPENDING LICENSE:**

Dennis Simpson, City Attorney, indicated that Casey's General Store has failed three tobacco compliance checks within the past 24 months. Mr. Simpson indicated that State Statute indicates that suspension cannot occur until such time that the business receives notice and also receives notice of opportunity for hearing. This notice has been sent and the corporation responded that they'd like the city to proceed and did not request a hearing.

Ritter moved, Boedigheimer seconded, the adoption of RESOLUTION NUMBER 3321, SECOND SERIES and that the reading of the same be waived. Resolution Number 3321, Second Series is a resolution Suspending a License to Sell Tobacco for Casey's General Store, 100 East Main Street. All voted in favor of the motion.

**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 Library Board discussed the redesign of the new library with Ron Halgerson from TSP.

Doom No report.

Sanow No report.

DeCramer EDA and Utilities Commission have not met but Mr. DeCramer indicated that he had attended the SW Initiative Foundation meeting.

Boedigheimer No report.

Ritter Housing Commission met on Monday, November 9<sup>th</sup>; Mr. Ritter indicated that there was a meeting of the Special Committee for the Hospital Membership Transfer Agreement.

**STAFF REPORTS:**

Ben Martig, City Administrator, indicated that the Library Board is continuing to work on the redesign of the new library and this will be brought to the Council when complete. The Finance/Clerk Department received proposals on the health, dental, life and long term disability insurance and is the process of reviewing before making a recommendation to the Council. Mr. Martig indicated that both Police Union Contracts are still open for 2009. Each City Council Members was requested to provide 2 names for the Charter Commission. The Charter Commission needs to meet before the end of the year. Concerns on an audit for the CVB have been forwarded to the City of Marshall Auditors for review. Mr. Martig indicated that according to the CVB by-laws they need to provide a presentation to the City Council on their budget. The Ways and Means Committee is scheduled to meet next week to discuss the Community Services joint Partnership Plan and the proposed changes to the Fee Resolution. Mr. Martig indicated that according to Lorna Sandvik, City Assessor, the property tax notices will be going out soon and that the tax rate is lower than projected.

Glenn Olson, Director of Public Works/City Engineer, informed the City Council of a street

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closure on Birch Street. This street closure is necessary for the sewer connection to be installed for Project Turn About. Mr. Olson also indicated that his department is meeting with the contractors and closing out this year projects.

Dennis Simpson, City Attorney, indicated that the sale of Weiner Memorial Medical Center closed on schedule on November 2, 2009 and there were no issues.

**COUNCIL MEMBER INDIVIDUAL ITEMS:**

Council Member Boedigheimer indicated that they have not received the Police Department vehicle maintenance reports for 2009.

**REVIEW OF PENDING AGENDA ITEMS:**

There were no questions on the pending agenda items.

**INFORMATION ONLY:**

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

	Applicant	Location Address	Description of Work	Valuation
1	Lyon County, c/o County Administrator Loren Stomberg	607 West Main Street	Construct Sign	\$18,200
2	Debra J. Spoelstra	907 Birch Street	Reroof, Interior Remodel	\$7,000
3	Westurn Cedar Supply Inc.	506 West Southview Drive	Reroof	\$10,500
4	Jonathan & Patricia Mellenthin	516 East Main Street	Reroof Commercial	\$26,500
5	Kesteloot Construction, Inc.	1201 East Lyon Street	Reroof	\$6,000
6	Michael Slagel Construction	300 North Hill Street	Replace Step	\$900
7	Dennis Lozinski Construction	1221 Englewood Road	Reroof	\$10,500
8	James Lozinski Construction Inc.	611 Lawrence Street	Reroof	\$7,600
9	LC Exteriors LLC	108 Parkview Drive	Reroof	\$9,000
10	Karen Meyer	505 South 1st Street	Reroof	\$10,000
11	True Value Home Center	103 East Thomas Avenue	Reroof and Addition	\$24,500
12	Geihl Construction, Inc.	228 West Main Street	Addition and Interior Remodel	\$540,000
13	True Value Home Center	120 West Maple Street	Reroof	\$4,300
14	True Value Home Center	606 South 2nd Street	Reroof	\$8,000
15	Geihl Construction, Inc.	701 DeSchepper Street	Reroof	\$11,000
16	Home Depot At	510 West Thomas Avenue	Replace Window	\$2,200



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	Home Services						
17	KHC Construction	1901	South	Highway 23		Remodel Filter Plant	\$21,000
18	True Value Home Center	104		Kathryn	Avenue	Reside	\$15,000
19	Norma Streich	108	West	Maple	Street	Replace Windows	\$6,900
20	Kesteloot Construction, Inc.	119	West	Maple	Street	Reroof	\$4,500
21	Benjamin Schmid & Heidi Schmid	109	West	James	Avenue	Reroof	\$3,000
22	Tutt Construction, Inc.	501	West	Main	Street	Exterior Remodel	\$45,000
23	A Men Roofing LLC	801		DeSchepp er	Street	Reroof	\$12,100
24	A Men Roofing LLC	201		George	Street	Reroof	\$7,800
25	A Men Roofing LLC	606		Elaine	Avenue	Reroof	\$5,100
26	A Men Roofing LLC	611	West	Lyon	Street	Reroof	\$12,100
27	A Men Roofing LLC	506		Carlson	Street	Reroof & Partial Reside	\$7,100
28	A Men Roofing LLC	1105		Hackberry	Drive	Reroof	\$9,200
29	A Men Roofing LLC	710		South Bend	Avenue	Reroof	\$5,700
30	A Men Roofing LLC	401		Kathryn	Avenue	Reroof	\$7,300
31	A Men Roofing LLC	604	South	Saratoga	Street	Reroof	\$10,200
32	Scott VanOverbeke Construction	702	South	2nd	Street	Reroof	\$6,500
33	Babcock Construction	604		Roosevelt	Street	Replace Window	\$1,300
34	Babcock Construction	1002		Colombin e	Drive	Reroof	\$5,800
35	Dean & Diane Milbrath	415	South	4th	Street	Interior Remodel	\$500
36	Dennis Lozinski Construction	603		Elaine	Avenue	Reroof	\$9,000
37	Scott VanOverbeke Construction	410	East	Main	Street	Reroof	\$500
38	True Value Home Center	1008		Paris	Road	Two Family Dwelling	\$185,000
39	James Lozinski Construction Inc.	207		Donita	Avenue	Reroof	\$6,600
40	Geske Home Improvement Co.	215		Oslo	Avenue	Replace Windows and Patio Door	\$7,000
41	Dru Larson	1004		Woodfern	Drive	Reroof	\$2,300

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	Construction					
42	Jeff Gladis Construction	205	Lucille	Street	Reroof	\$5,000
43	James Lozinski Construction Inc.	102	Donita	Avenue	Reroof	\$6,800
44	Kesteloot Construction	710	Marguerite	Avenue	Reroofing	\$6,000
45	Sussner Construction, Inc.	112	South 6th	Street	Production Facility Addition	\$1,500,000
46	Charles B. Holland & Duwayne Johnson	1402	East Lyon	Street	Reroof Office	\$3,000
47	5 CHIS Company LLC	1401	Nwakama	Street	Interior Remodel	\$187,000
48	R&G Construction Co.	1501	Diamond	Drive	Two Family Dwelling	\$325,000
49	Dave Ehrike, The Boson Company, Inc.	1401	East Lyon	Street	Church Addition & Remodeling - Phase 2	\$1,609,100
50	Rick Slagel Construction Inc	611	West Thomas	Avenue	Reroof	\$5,000
51	Rick Slagel Construction Inc	301	Donita	Avenue	Reroof	\$6,000
52	A Men Roofing LLC	107	South Whitney	Street	Reroof	\$3,500
53	Maple Street Construction LLC	1105	Hackberry	Drive	Reside	\$6,000
54	James J. & Karen Doom	216	Carrow	Circle	Remodel Basement	\$2,000
55	A Men Roofing LLC	623	Kathryn	Avenue	Reroof	\$9,200
56	Seth D. Werpy	802	Nuese	Lane	Reroof	\$5,500
57	Geske Home Improvement Co.	1005	Colombine	Drive	Reside	\$16,000
58	Geske Home Improvement Co.	705	Nuese	Lane	Patio Door	\$1,800
59	Dennis Lozinski Construction	605	Lawrence	Street	Reroof	\$7,500
60	EJ Timmers Remodeling	703	South 2nd	Street	Reroof	\$8,000

**DETERMINATION OF CITY COUNCIL TO GO INTO CLOSED SESSION PURSUANT TO MINNESOTA STATUTE 13D.05 SUBD. 3(C)(3) TO CONSIDER OFFERS/COUNTEROFFERS FOR THE PURCHASE OF REAL PROPERTY (MOSCH/BLADHOLM-PROPERTY NORTH OF MERIT CENTER):**

Ritter moved, Sanow seconded, that the Council go into closed session at 6:42 P.M. pursuant to Minnesota Statute 13D.05 Subd. 3(c)(3) to consider offers/counteroffers for the purchase of real property (Mosch/Bladholm - property north of the MERIT Center). All voted in favor of the motion.

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The council came out of closed session at 6:52 P.M.

**DETERMINATION OF CITY COUNCIL TO GO INTO CLOSED SESSION PURSUANT TO MINNESOTA STATUTE 13D.05 SUBD. 3(C)(3) TO CONSIDER OFFERS/COUNTER OFFERS FOR THE PURCHASE OF REAL PROPERTY (106 C STREET):**

Sanow moved, Doom seconded, that the Council go into closed session at 6:52 P.M. pursuant to Minnesota Statute 13D.05 Subd. 3(c)(3) to consider offers/counteroffers for the purchase of real property (106 "C" Street). All voted in favor of the motion.

Those present at the closed session included: Mayor Byrnes, Council Members, Hulsizer, Doom, Sanow, DeCramer, Boedigheimer and Ritter. Staff members 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 6:58 P.M.

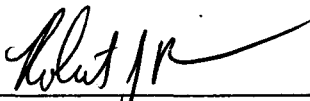
**DETERMINATION OF CITY COUNCIL TO GO INTO CLOSED SESSION PURSUANT TO MINNESOTA STATUTE 13D.05 SUBD. 3(B) REGARDING ATTORNEY-CLIENT PRIVILEGE BNSF SETTLEMENT:**

Ritter moved, Sanow seconded, that the Council go into closed session at 6:58 P.M. pursuant to Minnesota Statute 13D/05 Subd. 3(b) regarding attorney-client privilege BNSF Settlement. All voted in favor of the motion.

Those present at the closed session included: Mayor Byrnes, Council Members, Hulsizer, Doom, Sanow, DeCramer, Boedigheimer and Ritter. Staff members 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 7:04 P.M.

Upon motion by Sanow, seconded by DeCramer, the meeting was adjourned. All voted in favor of the motion.

  
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Mayor of the City of Marshall

ATTEST:

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