

REGULAR MEETING – FEBRUARY 23, 2010

The regular meeting of the Common Council of the City of Marshall was held on February 23, 2010 in the Professional Room at 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 in attendance: Hulsizer, Doom, Sanow and Ritter. Absent: DeCramer and Boedigheimer. 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; Sheila Dubs, Assistant to City Administrator; Jeff Wenker; Sergeant; Thomas M. Meulebroeck, Financial Director/City Clerk; and Jane DeVries, Deputy City Clerk.

The Pledge of Allegiance was recited at this time.

APPROVAL OF THE AGENDA:

It was the general consensus of the council that the agenda be approved with the addition of item 15a, which are appointments to the Library Board.

APPROVAL OF THE MINUTES:

Doom moved, Sanow seconded, that the minutes of the regular meeting held on February 9, 2010 be approved and that the reading of the same be waived. All voted in favor of the motion.

CONSENT AGENDA – A. TEMPORARY ON-SALE LIQUOR LICENSE FOR SMSU FOR JUNE 13, 2010; B. TEMPORARY ON-SALE LIQUOR LICENSE FOR SMSU FOR MARCH 4, 2010; C. LG220 APPLICATION FOR EXEMPT PERMIT FOR SMSU FOR APRIL 30, 2010; D. BLAKE’S SECOND ADDITION – INTRODUCTION OF PRELIMINARY PLAT AND CALL FOR PUBLIC HEARING; E. CONSIDER AUTHORIZATION DIESEL FRONT MOUNT 72” COMMERCIAL LAWN MOWER; F. CONSIDER AUTHORIZATION FOR 2-WHEEL DRIVE BALL-PRO SUPER RAKE; G. CONSIDER AUTHORIZATION TO ADVERTISE FOR ONE-TON DUMP TRUCK WITH PLOW FOR AIRPORT; H. AUTHORIZATION TO DECLARE 2005 SMITHCO SUPER RAKE 16 HP AS SURPLUS PROPERTY AND SALE TO LAKEVIEW SCHOOLS; I. CONSIDER REQUEST FOR ST. PATRICK’S DAY PARADE – MARCH 17, 2010; J. RENEWAL OF GROUP SELF-INSURED ACCIDENT PLAN FOR VOLUNTEERS; K. APPROVAL BILLS/PROJECT PAYMENTS:

Council Member Sanow requested that item E, which is consider authorization for a Diesel Front Mount 72” Commercial Lawn Mower; item F, which is consider authorization for a 2-wheel drive Ball-Pro Super Rake; G, which is consideration authorization to advertise for one-ton dump truck with plow for the Airport; and H, which is authorization to declare a 2005 Smithco Super Rake 16 hp as surplus property and sell to Lakeview Schools.

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

The approval of a Temporary On-Sale Liquor License for Southwest Minnesota State University Foundation to us on June 13, 2010 at the Conference Center Ballroom, 310 North O’Connell Street. The fee for this license is \$30.00.

The approval of a Temporary On-Sale Liquor License for Southwest Minnesota State University Foundation to use on March 4, 2010 at the Physical Education Gym, 330 North O’Connell Street. The fee for this license is \$30.00.

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 – LG220 for Southwest Minnesota State University Foundation for a raffle to be held at Southwest Minnesota State University Student Center, 320 North O’Connell Street, Marshall,

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Minnesota on April 30, 2010 and that the 30 day waiting period be waived.

The introduction of the preliminary plat of Blake's Second Addition and call for a public hearing to be held at 5:30 P.M. on March 9, 2010.

Approval for street closure for the annual St. Patrick's Day Parade on Wednesday, March 17, 2010. Parade Route 3a will be utilized as prepared by MN/DOT. The parade travels along Main Street from Casey's to the Wooden Nickel with traffic detoured at "C" Street along Saratoga Street to North 6th Street. This request will be forwarded to MN/DOT for their approval.

Approve the renewal of the Group Self-Insured Accident Plan for Volunteers with the League of Minnesota Cities Insurance Trust for January 1, 2010 through January 1, 2011 at a premium of \$1,569.00.

The following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 68479 through 68639.

All voted in favor of the motion.

Council Member Sanow expressed that he feels capital items should not be on the consent agenda. Sanow also indicated that item H, which is authorization to declare a 2005 Smithco Super Rake 16 hp as surplus property and sell to Lakeview Schools should be pulled from the agenda.

Council Member Sanow indicated that due to the proposed LGA cuts the City should not be purchasing these capital items.

Sanow moved, Ritter seconded, that the recommendation to accept the Diesel Front Mount 72" Commercial Lawn Mower with Commercial Side Discharge Mower Deck quote from D&M Implement for \$22,731.08 less \$7,731.08 trade in, plus tax of \$1,031.25 for a total of \$16,031.25 be considered at a later date. The maker of the motion made a friendly amendment to the motion to delay the consideration of purchasing this equipment until 2011. All voted in favor of the motion, except Doom who abstained.

Sanow moved, Doom seconded, that the recommendation to accept the SMITHCO Super Rake quote from Turfwerks for \$11,996.72 be postponed and considered during the budget process for 2011. All voted in favor of the motion.

Sanow moved, Ritter seconded, that the proper city personnel be authorized to advertise for bids for a one-ton, four-wheel drive truck chassis, dump box and plow for the Airport. The City has been authorized by MN/DOT-Aeronautics to proceed with the acquisition of the equipment with participation of State funds in the amount of 67% of the total cost. All voted in favor the motion.

It was the general consensus of the Council that item h, which is authorization to declare a 2005 Smithco Super Rake 16 hp as surplus property and sell to Lakeview Schools be removed from the agenda.

APPLICATION FOR TAXI CAB LICENSE FOR SAMI SAMIR SAAD EL-DEIN DBA DOWNTOWN DD LLC:

Thomas M. Meulebroeck, Financial Director/City Clerk, reviewed the application that was received from Sami Samir Saad El-Dein to operate a taxi cab in the City of Marshall. Mr.

Meulebroeck indicated that the application appears to meet the requirements of the City Code. Council Member Sanow asked if this would affect the current Transit System. Jeanette Porter from Western Community Action indicated that the Marshall Transit System would welcome another taxi service in the City of Marshall. Her only concern is that there may be some confusion when people call for a ride. She also indicated that the City of Jackson has this same type of service and there are no problems.

Doom moved, Ritter seconded, the approval of a Taxi Cab License for Sami Samir Saad El-Dein contingent upon the payment of the City fee and providing a certificate of insurance as required by City Code. All voted in favor of the motion.

CONSIDER AUTHORIZATION TO LEASE SQUAD CAR:

Rob Yant, Director of Public Safety, is requesting authorization to lease a squad car for three years. Mr. Yant indicated that marked police cars are the primary means for officers to be able to get about and perform their duties; from responding to calls for service to providing the deterrence of preventive patrol. Currently the Police Department has six marked squad cars. Mr. Yant indicated that they are requesting to replace unit no. 0604. This vehicle has nearly 98,000 miles on it and will likely have another 3,000 miles on it before finally being replaced. This car would have many more miles on it but it has had frequent maintenance problems which placed it out of service for a substantial amount of time.

There was a summary of the monthly leasing costs for a 2010 Ford Crown Victoria, 2010 Chevrolet Impala, and a 2WD Chevrolet Tahoe, based on how many miles on the vehicle the lease is for and the length of the lease included in the agenda packet. There was also a summary of the leasing costs for an Impala for two years and another one for three years. Sgt. Jeff Wenker prepared this cost analysis and it shows a savings of \$2,197 with a lease of two years and an increase in leasing for three years compared to an outright vehicle purchase. Both comparisons include the estimated cost of converting and setting up a new unit. Mr. Yant also indicated that if they receive approval to lease a vehicle he would recommend that the vehicle being replaced be declared as surplus and listed with the Minnesota Surplus property.

Mr. Yant indicated that there is \$22,500 in the Police Department budget for the purchase of one squad car, with an estimated trade-in of \$2,500. There is \$6,000 in the budget for the conversion and set up of a squad car. The lease cost includes most vehicle operating costs except for tires and gasoline. A lease for three years would be about the same cost as to purchase one, but would stabilize maintenance costs. The Council Equipment Review Committee has met and reviewed these and voted to recommend to pursue a three year lease.

A three-year lease would be the same replacement cycle as is presently used. If the conversion costs were the estimated (budgeted) amount a lease would run an estimated \$761 dollars more than a purchase. However the most recent conversion cost \$4,500. If that were the case the cost of leasing would be estimated to be \$739.

Council Member Sanow indicated that it would cost more for a 3-year lease than to purchase a vehicle. Sanow indicated that he would be willing to try a lease program but not at this time. He indicated that if the City were to lease and that at the end of the lease, if the City could not afford a new lease and or vehicle the Police Department would be short one vehicle.

Ritter moved, Doom seconded, that the proper city personnel be authorized to advertise for bids for a squad car for the Police Department. All voted in favor of the motion.

CONSIDERATION OF AMENDMENTS TO THE TRAVEL AND TRAINING POLICY:

Sheila Dubs, Assistant to the City Administrator, reviewed the proposed revisions to the Travel and Training Policy. These revisions were reviewed by the Personnel Committee and they voted unanimously to support the recommendations provided by staff to amend the Travel and Training policy.

Ms. Dubs indicated that the Personnel Policy manual was adopted by the City Council on 8/25/09. Section 11.0 of the manual provides for the policy and procedures around the authorization for travel, allowable and non-allowable expenses, and reimbursement of expenses incurred while in local and non-local travel status. Following an implementation period of approximately five months, staff would like to recommend the following proposed revisions as outlined in the subsections noted below.

- 1) **Travel Advances:** amend the policy to allow for 5 business days to submit receipts for expenses incurred when a travel advance is provided to the employee. The current policy requires the employee to submit receipts upon the first day back to work.
- 2) **Reimbursement Requirements:** amend the policy to provide for payment of actual costs, up to a maximum allowable rate. This language will apply to the amended language in the lodging expenses section.
- 3) **Meal Expenses:** there has been significant employee confusion resulting from the table on Appendix B, the Meal and Incidental Expenses table. In an effort to ease the confusion while still covering reasonable expenses incurred by an employee in travel status, staff recommends the amended language, which clarifies per diems for single-day trips as well as at what point a meal per diem will be paid, removes the per diem for incidentals, and removes the 75% per diem for first/last travel dates. The amended language provides the employee with clearer guidelines on his/her eligibility for a meal per diem. The amended language removes all references to "incidental" and "M&IE" expenses. Appendix B has been amended and provided for your review. Finally, the previous submission forms were never amended to reflect the new submission requirements. This has caused some issue related to documentation required. These forms are currently being amended to reflect changes being proposed under the new policy.

One of the primary reasons for changing from meal expense reimbursements to per diem was the substantial multiple levels of staff reviewing the requests for meal reimbursements. Also, it clarified a standard per diem amount consistent with IRS rates that regularly review appropriate rates for meals. This removes any discretion of what is a reasonable amount to reimburse for meals.

- 4) **Lodging Expenses:** the recommended amendment to this section will result in a cost savings to the City for lodging expenses. Under the current language, in some cases, employees have received a lodging per diem that exceeded actual expenses. By amending the language to pay for actual costs (reimbursement vs. per diem), up to a maximum reimbursement rate, the employee will be reimbursed and the City will not be expending funds over and above the actual costs incurred.

During the past five months under this policy, staff have also identified a need to add new language to the policy for those instances where lodging accommodations may not be

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available within the allowable per diem rate structure. Therefore, staff is recommending language that allows an employee to obtain pre-approval for additional lodging expenses. The employee must essentially prove that there are no other reasonable accommodations available within a 10-mile radius of the destination and that lodging costs exceed the allowable reimbursement rate.

- 5) Miscellaneous Expenses: the language in this section has been amended to clarify the types of expenses that will be reimbursed under this category.

Doom moved, Ritter seconded, that these revisions to the Travel and Training Policy be approved. All voted in favor of the motion.

CONSIDER RESOLUTION AMENDING BUDGET AMOUNTS FOR FISCAL YEAR DECEMBER 31, 2009:

Thomas M. Meulebroeck, Finance Director/City Clerk, indicated that the year-to-date 2009 revenues and expenditures have been compared to the original 2009 budget. Mr. Meulebroeck reviewed the budget adjustments for the 2009 budget. These adjustments will reduce the variances between budgets to actual. Ben Martig, City Administrator, indicated that Council Member Boedigheimer had requested a budget summary prior to any adjustments. Sanow moved, Doom seconded, the adoption of RESOLUTION NUMBER 3353 SECOND SERIES and that the reading of the same be waived. Resolution Number 3353, Second Series is a resolution Reallocating Budget Amounts for Fiscal Year Ended December 31, 2009. All voted in favor of the motion.

CONSIDER RESOLUTION ESTABLISHING VOTING LOCATIONS IN THE CITY OF MARSHALL:

Doom moved, Ritter seconded, the adoption of RESOLUTION NUMBER 3354, SECOND SERIES and that the reading of the same be waived. Resolution Number 3354, Second Series is a resolution Establishing the Voting Locations in the City of Marshall. This resolution provides for a change in the voting location for Ward 3. This location is being changed from the Minnesota National Guard Armory located at the junction of College Drive and Country Club Drive to the Multi-purpose Room at the Marshall Area YMCA, 200 South "A" Street. The voting locations for Ward 1 and Ward 2 will remain the same. All voted in favor of the motion.

CONSIDER RESOLUTION AUTHORIZING THE TRANSFER OF THE CLOSURE OF DEBT SERVICE FUNDS:

Thomas M. Meulebroeck, Finance Director/City Clerk, indicated that the City Council has previously authorized its issuance of General Obligation Storm Sewer District Bonds Series 1999 "B", which was designated as Fund 309. A Special Revenue Fund No. 255 was established for the collection of the annual levy to pay Debt Service Obligations. As debt service payments were made from Fund 309, monies were transferred from the Special Revenue Fund 255 to cover the debt service payment. These bonds were refunded in 2006, and the monies from the refinancing to pay off these bonds were placed into an escrow account to pay the bonds off in 2009. The Debt Service Fund 309 currently has available monies of \$11,638 and the Special Revenue Fund 255 has \$153,262 available. The City Council authorized the refunding of these bonds, which provided for the establishment of the new Debt Service Fund 316 for the G.O. Storm Sewer District Revenue Refunding Bonds, Series 2006C. The closing of Debt Service Fund 309 and Special Revenue Fund 255 has been reviewed with the auditors, Abdo, Eick & Meyers, LLP and they concur with the recommendation. Mr. Meulebroeck also indicated that the transfer of these monies will potentially lower the amount of the levy in future years for debt service payments for the refunding bond issue, Debt Service Fund 316.

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Ritter moved, Sanow seconded, the adoption of RESOLUTION NUMBER 3355, SECOND SERIES and that the reading of the same be waived. Resolution Number 3355, Second Series is a Resolution Authorizing Transfer and Closure of Debt Service Fund 309 and Special Revenue Fund 255 to Fund 316. All voted in favor of the motion.

PROJECT Y78: 2010 BITUMINOUS OVERLAY PROJECT AND PROJECT Y79: 2010 CHIP SEAL PROJECT -- CONSIDER AUTHORIZATION TO ADVERTISE FOR BIDS:

Glenn Olson, Director of Public Works/City Engineer, indicated that approximately \$250,000 has been included in the City Street Department's 2010 budget for bituminous overlays and chip sealing on various city streets. Actual overlays and chip sealing will be established after the bids are in and dollar amounts allocated to each project according to total budget available. Doom moved, Sanow seconded, that the proper city personnel be authorized to advertise for bids for 2010 Bituminous Overlay Project Y78 and 2010 Chip Seal Project Y79. All voted in favor of the motion.

PROJECT Y31 / (139-131-02) WINDSTAR STREET FROM SCOTT ST. TO T.H. 59: -- CONSIDER CHANGE ORDER NO. 3 (FINAL) AND ACKNOWLEDGEMENT OF FINAL PAYMENT APPLICATION:

Glenn Olson, Director of Public Works/City Engineer, reviewed Change order No. 3 (Final) for Windstar Street from Scott Street to T.H. 59 Project Y31/(139-131-02) with R & G Construction, Co., of Marshall resulting in a decrease of \$3,220.10. Mr. Olson indicated that the change order is a result of final measurements and changes in item quantities during construction.

Ritter moved, Sanow seconded, the approval of Change Order No. 3 (Final) with R & G Construction Co., for a decrease in the amount of \$3,220.10 and the acknowledgement of the final payment in the amount of \$116,843.95 for the Windstar Street from Scott Street to T.H. 59 Project Y31 / (139-131-02). The change order is a result of a final measurements and quantities. All voted in favor of the motion.

PROJECT Y41: TIGER LAKE EXPANSION PROJECT – CONSIDER PROFESSIONAL SERVICES AGREEMENT WITH BOLTON & MENK, INC:

Glenn Olson, Director of Public Works/City Engineer, indicated that in March, 2008, the City Council authorized Bolton & Menk, Inc. to conduct a watershed drainage study for the Tiger Lake watershed because of periodic flooding in the area of Tiger Lake due to increased runoffs from developed areas not considered in the original design of Tiger Lake. The Tiger Lake Watershed Drainage Study was completed by Bolton & Menk in October 2008 with several alternatives listed. After review of the alternatives, it was decided that the best alternative was to expand the Tiger Lake ponding at its current location along with the acquisition of various properties around the existing Tiger Lake. The acquisition of properties is now essentially complete, including the Middleton, Peterson and Pfaffe properties. Additional small amounts of property may be acquired in the area to complete the acquisition process. City staff has contacted Lyon County Co-Op Oil Company for their interest in relocating the propane facility immediately adjacent to and north of the ambulance building.

Mr. Olson indicated that they are now ready to proceed with the design of the Tiger Lake Expansion Project. The project consists of the expansion of the existing Tiger Lake Storm Water Management Pond to provide for improved flood control and storm water quality. Based on the previously prepared preliminary engineering report and discussions with City, the following improvements are anticipated:

- Excavation and grading to enlarge the existing Tiger Lake storm water management pond. It is anticipated that a combination of strategies will be implemented for flood mitigation and storm water treatment, including: wet pond with dead storage, dry pond surge basin, and filtration weirs.
- Rerouting and extensions of storm sewers entering the storm water management pond.
- Bituminous path around all or a portion of the expanded pond.

- Erosion control and turf establishment
- Other miscellaneous items.

Doom moved, Hulsizer seconded, that the proper city personnel be authorized to enter into a Professional Services Agreement with Bolton & Menk, Inc., for the design of the Tiger Lake Expansion Project for a not-to-exceed amount of \$40,800, subject to City Attorney review and approval. All voted in favor of the motion.

PROJECT Y75: PELTIER STREET RECONSTRUCTION PROJECT – CONSIDER RESOLUTION ORDERING PREPARATION OF REPORT ON IMPROVEMENT:

Glenn Olson, Director of Public Works/City Engineer, reviewed the Peltier Street Reconstruction Project Y75. This project involves the mill and overlay of portions of Peltier Street, Glenn Street and Simmons Street with new construction of the westerly end of Peltier Street, including improvements to drainage along the Burlington Northern Railroad tracks. Doom moved, Hulsizer seconded, the adoption of RESOLUTION NUMBER 3356, SECOND SERIES and that the reading of the same be waived. Resolution Number 3356, Second Series is a resolution Ordering Preparation of Report on Improvement for Peltier Street Reconstruction Project Y75. All voted in favor of the motion.

CONSIDER RESOLUTION RECEIVING FEASIBILITY REPORT AND CALLING HEARING ON IMPROVEMENT – A. PROJECT Y40: “C” STREET RECONSTRUCTION PROJECT; B. PROJECT Y63: LAWRENCE COURT RECONSTRUCTION PROJECT; C. PROJECT Y64: BRUCE CIRCLE RECONSTRUCTION PROJECT; D. PROJECT Y73: PEARL AVENUE RECONSTRUCTION PROJECT:

Glenn Olson, Director of Public Works/City Engineer, reviewed Project Y40 “C” Street Reconstruction. This project involves the replacement of watermain and sanitary sewer and street reconstruction. The proposed project will reconstruct “C” Street and described utilities from East Main Street to South Saratoga Street. Doom moved, Sanow seconded, the adoption of RESOLUTION NUMBER 3357, SECOND SERIES and that the reading of the same be waived. Resolution Number 3357, Second Series is a Resolution Receiving the Feasibility Report and Calling for Hearing on Improvement for Project Y40 “C” Street Reconstruction. The public hearing will be held at 5:30 P.M. on March 9, 2010. All voted in favor of the motion.

Glenn Olson, Director of Public Works/City Engineer, reviewed Project Y63 Lawrence Court Reconstruction. This project involves the reconstruction of the bituminous pavement and aggregate base. The proposed project will reconstruct Lawrence Court southerly from East Southview Drive. Ritter moved, Doom seconded, the adoption of RESOLUTION NUMBER 3358, SECOND SERIES and that the reading of the same be waived. Resolution Number 3358, Second Series is a Resolution Receiving the Feasibility Report and Calling for Hearing on Improvement for Project Y63 Lawrence Court Reconstruction. The public hearing will be held at 5:30 P.M. on March 9, 2010. Voting in favor of the motion were: Ritter, Doom and Byrnes. Voting no were: Sanow and Hulsizer.

Glenn Olson, Director of Public Works/City Engineer, reviewed Project Y64 Bruce Circle Reconstruction Project. This project involves the replacement of watermain and sanitary sewer and street reconstruction. The proposed project will reconstruct Bruce Circle and described utilities east from South Bruce Street. Doom moved, Ritter seconded, the adoption of RESOLUTION NUMBER 3359, SECOND SERIES and that the reading of the same be waived. Resolution Number 3359, Second Series is a Resolution Receiving Feasibility Report and Calling for Hearing on Improvement for Project Y64 Bruce Circle Reconstruction. The public hearing will be held at 5:30 P.M. on March 9, 2010. Council Member Sanow suggested that the reconstruction projects be put on hold. All voted in favor of the motion, except Sanow who voted no.

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Glenn Olson, Director of Public Works/City Engineer, reviewed Project Y73 Pearl Avenue Reconstruction Project. This project involves the replacement of watermain and sanitary sewer and street reconstruction. The proposed project will reconstruct Pearl Avenue and described utilities southerly from Country Club Drive. Doom moved, Ritter seconded, the adoption of RESOLUTION NUMBER 3360, SECOND SERIES and that the reading of the same be waived. Resolution Number 3360, Second Series is a Resolution Receiving Feasibility Report and Calling for Hearing on Improvement for Project Y73 Pearl Avenue Reconstruction. The public hearing will be held at 5:30 P.M. on March 10, 2010. Voting in favor of the motion were: Ritter, Doom and Byrnes. Voting no were: Sanow and Hulsizer.

Mr. Olson indicated that there will be information meetings held for anyone who may be assessed for any of these projects.

CONSIDERATION OF APPROVAL OF THE MARSHALL GOLF CLUB DRIVING RANGE:

Dennis Simpson, City Attorney, indicated that the City of Marshall is the owner of parcel of property adjacent to Marshall Golf Club. This property has been used for driving range at the Marshall Golf Club for a number of years. The property was acquired by the City during the airport expansion project and is subject to restrictions and limitations as a result of the airport. As a result of those restrictions and limitations, there are limited uses for the property. The City of Marshall and the Golf Club had previously entered into long term lease arrangements wherein the Golf Club paid lease fees to the City of \$1,000 per year. Prior long term lease had terms and provisions contained within the lease regarding lease hold improvements made to the property by the Golf Club.

The previous lease has now expired and City staff is recommending that the City and Golf Club enter into another long term lease (15 years) for the continued operation of the Golf Club Driving Range. A simplified version of the previous lease has been drafted and approved by the Marshall Golf Club. The lease provides for a continuation of \$1,000 per year lease payments and will now be subject to personal property taxation and as such the Golf Club will be paying an additional amount each year for personal property taxes. In light of that increased taxation, the recommendation is to continue annual rental payments due to the City in the amount of \$1,000 per year.

Ritter moved, Sanow seconded, the adoption of RESOLUTION NUMBER 3360-A, SECOND SERIES and that the reading of the same be waived. Resolution Number 3360-A, Second Series is a resolution Authorizing Lease of City Owned Property. This lease is between the City of Marshall and the Marshall Golf Club for the Marshall Golf Club Driving Range. This lease expires on December 31, 2024. All voted in favor of the motion.

CONSIDER RESOLUTION OPPOSING THE GOVERNOR'S PROPOSED SUPPLEMENTAL BUDGET CUTS TO LGA PAYMENT:

Ben Martig, City Administrator, reviewed a resolution that was drafted by the Coalition of Greater Minnesota Cities to show support of communities against the large cuts in Local Government Aid proposed by the Governor. The State of Minnesota certainly has a challenging fiscal environment but the level of aids to Marshall and other cities in Greater Minnesota is very painful. Mr. Martig indicated that the proposed LGA cuts for Marshall would be approximately \$596,000 in addition to the approximately \$537,000 that was already cut in 2009.

Comments from the council included: Mayor Byrnes indicated that the cuts would have a disproportionate affect in rural areas. Council Member Sanow indicated that he was not comfortable passing the resolution without providing suggestions on how the State can make budget cuts.

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Hulsizer moved, Ritter seconded the adoption of RESOLUTION NUMBER 3361, SECOND SERIES and that the reading of the same be waived. Resolution Number 3361, Second Series is a resolution Opposing the Governor's Proposed Supplemental Budget Cuts to the LGA Payment. All voted in favor of the motion except Sanow who voted no.

CONSIDER APPOINTMENTS TO BOARDS AND COMMISSIONS:

Per the recommendation of Mayor Byrnes, Sanow moved, Doom seconded, and was unanimously approved that the following appointments be made to the Library Board:

- Joyce DeSmet be appointed for a term to expire on May 31, 2012
- Pam Sukalski be appointed for a term to expire on May 31, 2012

Mayor Byrnes called for a 5-minute recess at 7:05 P.M.

COUNCILMEMBER COMMISSION/BOARD LIAISON REPORTS:

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

- Byrnes Fire Relief Association has not met; Regional Development Commission meets on March 4th; Regional Radio Board meets on February 25th; Complete Count Committee met last week.
- Hulsizer Human Rights Commission met on February 22nd.
- Doom No report.
- Sanow Marshall Area Transit met on February 18th at Western Community Actions new facility. The discussed the purchase of a new bus.
- Ritter EDA met last week.

STAFF REPORTS:

Ben Martig, City Administrator, indicated that interviews are being completed for the Sergeant in the Police Department and the Building Official. Martig is continuing to work on the reorganization of EDA and the possibility of a joint EDA with Lyon County. The Personnel Committee will meet and discuss the possibility of hiring a consultant to assist with RFP's for employee insurance and benefits.

Glenn Olson, Director of Public Works/City Engineer, indicated that everyone needs to be aware of potential spring flooding, whether it is the river, overland or in the back yard. Mr. Olson also indicated that the CORP of Engineers is going to disconnect the river gauge and the City is interested in getting the cost involved for them to take over monitoring the river gauge. He also indicated that if anyone is interested in purchasing flood insurance it needs to be in effect for 30 days before a flood event.

Dennis Simpson, City Attorney, indicated that he received information from the League of Minnesota Cities on how to proceed with including a donation in the bidding process.

COUNCILMEMBER INDIVIDUAL ITEMS:

Council Member Hulsizer indicated that the Library Board had questions and concerns on whether or not there is a petty cash policy and who is allowed to have petty cash. The Library would

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like to have a bank account to use for petty cash, fines, fees and grants. Mr. Martig, City Administrator, indicated that the fines and fees received by the Library should be deposited into the bank account for all city funds according to State Statute. The Library can still have a petty cash account without a separate bank account. The City's financial software program allows for projects which would provide a way to track revenue and expenses for a grant. Thomas M. Meulebroeck, Financial Director/City Clerk, indicated that there is no formal policy for petty cash. Mr. Meulebroeck indicated that city staff and library staff need to sit down and discuss the procedures and any questions.

Mayor Byrnes indicated that he along with Steve Strautz and Mark Goodenow will be in Washington DC to present the Highway 23 Project.

REVIEW OF PENDING AGENDA ITEMS:

There were no questions or concerns 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.	Grace Life Church	600 East College Drive	Bathroom Remodel	\$42,000
2.	Avera Marshall Regional Medical Center	300 South Bruce Street	Clinic Remodel	\$200,000

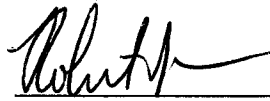
DETERMINATION BY CITY COUNCIL TO GO INTO CLOSED SESSION PURSUANT TO MINNESOTA STATUTE 13D.05 SUBD. 3(C)(3), DISCUSSION OF REAL PROPERTY PURCHASE ACQUISITION ALTERNATIVE:

Sanow moved, Ritter seconded, that the Council go into closed session at 7:32 P.M. pursuant to Minnesota Statute 13D.05 Subd. 3(c)(3) for discussion of Real Property Purchase Acquisition Alternative. All voted in favor of the motion.

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

The council came out of closed session at 7:55 P.M.

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



Mayor of the City of Marshall

ATTEST:


Financial Director/City Clerk