

## REGULAR MEETING – AUGUST 9, 2010

The regular meeting of the Common Council of the City of Marshall was held on August 9, 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 present: Hulsizer, Doom, Sanow, Boedigheimer and Ritter. Absent: DeCramer. Staff present included: Ben Martig, City Administrator; Dennis Simpson, City Attorney; Glenn Olson, Director of Public Works/City Engineer; Thomas M. Meulebroeck, Finance Director/City Clerk; and Jane DeVries, Deputy City Clerk.

The Pledge of Allegiance was recited at this time.

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

It was the general consensus of the council that the agenda be approved with the addition of item 6h, which is to consider the Progress Addition Plat Surveyor's Certificate of Correction.

Sanow moved, Doom seconded, that the council reconsideration of the ordinance approving a decrease in salary for the Mayor and Council Members be added to the agenda. This item was added as the first item under old business. All voted in favor of the motion.

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

Sanow moved, Ritter seconded, that the minutes of the regular meeting held on July 27, 2010 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

### **PUBLIC HEARING – TURKEY VALLEY FARMS BUSINESS SUBSIDY AGREEMENT AND LOAN:**

This was the date and time set for a public hearing on the Turkey Valley Farms Business Subsidy Agreement and Loan. Ben Martig, City Administrator, indicated that the project being proposed includes commitments of at least \$2,906,910 in equipment and building cost for the expansion of manufacturing processing at Turkey Valley Farms. The precast concrete structural expansion is 21,000 square feet including a 2<sup>nd</sup> floor mezzanine. Turkey Valley Farms is committing to create and maintain during the life of the loan 40 new full-time jobs at a wage rate including benefits of \$11.66 per hour within 18 months of receipt of funds. Turkey Valley Farms started this project sometime in early to mid November of 2009. They have not completed the project but part of the facility is operational and they have already added at least 40 positions starting at \$11.44 per hour. They will meet the \$11.66 requirement within the provisions provided in the business subsidy agreement. The loan is for \$470,000 at 4% interest rate for 5 years. The City would take a second position on the equipment yet to be finalized. One provision to be added into the agreements is a requirement for electronic payment method. The EDA met on Wednesday, July 21, 2010 and recommended approval of the loan, business subsidy agreement and supporting documentation. Sanow moved, Boedigheimer seconded, that the public hearing be closed. All voted in favor of the motion.

Ritter moved, Sanow seconded, the approval of the Turkey Valley Farms CRIF Loan and Business Subsidy Agreement. The loan is for \$470,000 at 4% interest rate for 5 years. The City would take a second position on the equipment yet to be finalized. One provision to be added into the agreements is a requirement for electronic payment method. All voted in favor of the motion.

### **PUBLIC HEARING – CONSIDER THE REQUEST OF ROBERT L. CARR TO REZONE CARR ESTATES THIRD ADDITION FROM A-AGRICULTURAL DISTRICT TO R-2 ONE TO FOUR FAMILY RESIDENCE DISTRICT AND A-AGRICULTURAL DISTRICT:**

This was the date and time set for a public hearing to consider the request of Robert L. Carr to rezone Carr Estate Third Addition from A (Agricultural District) to R-2 (One- to Four-Family Residence District) and A (Agricultural District). Glenn Olson, Director of Public Works/City Engineer, indicated that this addition has recently been platted for city park development. The City of Marshall 1996 Comprehensive Plan (including 2004 Updates and Amendments) shows this

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property as Multi-Family Use. The request complies with the intent of the Marshall Comprehensive Plan. Doom moved, Sanow seconded, that the public hearing be closed. All voted in favor of the motion.

Doom moved, Sanow seconded, the adoption of ORDINANCE NUMBER 626, SECOND SERIES and that the reading of the same be waived. Ordinance Number 626, Second Series is an ordinance Amending Chapter 86 of the City Code Relating to Zoning. This ordinance provides for the rezoning of Carr Estate Third Addition from A (Agricultural District) to R-2 (One- to Four-Family Residence District) and A (Agricultural District). All voted in favor of the motion.

**AWARD OF BIDS PROJECT Y74: NORTH 5<sup>TH</sup> STREET/WEST LYON STREET/WEST REDWOOD STREET RECONSTRUCTION PROJECT – A. RESOLUTION OF DECLARATION OF OFFICIAL INTENT REGARDING THE REIMBURSEMENT OF EXPENDITURES WITH THE PROCEEDS OF TAX-EXEMPT BONDS; B. RESOLUTION ACCEPTING BID (AWARD CONTRACT):**

Bids were received, opened and read for North 5<sup>th</sup> Street / West Lyon Street / West Redwood Street Reconstruction Project Y74 on August 5, 2010. The bids received, opened and read were from:

Quam Construction Co., Inc  
Willmar, Minnesota  
\$967,900.60

Chad Monson Excavating, LLC  
Willmar, Minnesota  
\$978,336.00

D & G Excavating, Inc.  
Marshall, Minnesota  
\$986,417.95

Duininck Bros, Inc.  
Prinsburg, Minnesota  
\$991,109.65

Doom moved, Boedigheimer seconded, the adoption of RESOLUTION NUMBER 3451, SECOND SERIES and that the reading of the same be waived. Resolution Number 3451, Second Series is a resolution Declaring the Official Intent Regarding the Reimbursement of Expenditures with the Proceeds of Tax-Exempt Bonds for North 5<sup>th</sup> Street / West Lyon Street / West Redwood Street Reconstruction Project Y74. All voted in favor of the motion.

Doom moved, Boedigheimer seconded, the adoption of RESOLUTION NUMBER 3452, SECOND SERIES and that the reading of the same be waived. Resolution Number 3452, Second Series is a resolution Accepting Bid (Award Contract) for North 5<sup>th</sup> Street / West Lyon Street / West Redwood Street Reconstruction Project Y74. This contract was awarded to Quam Construction, Willmar, Minnesota in the amount of \$967,900.60. All voted in favor of the motion.

**AWARD OF BIDS PROJECT Y40: “C” STREET RECONSTRUCTION PROJECT – A. RESOLUTION OF DECLARATION OF OFFICIAL INTENT REGARDING THE REIMBURSEMENT OF EXPENDITURES WITH THE PROCEEDS OF TAX-EXEMPT BONDS; B. RESOLUTION ACCEPTING BID (AWARD CONTRACT):**

Bids were received, opened and read for “C” Street Reconstruction Project Y40 on August 5, 2010. The bids received, opened and read were from:

Rogge Excavating, Inc.  
Ghent, Minnesota  
\$475,968.55

Duininck Bros. Inc.  
Prinsburg, Minnesota  
\$487,413.45

R & G Construction Co.  
Marshall, Minnesota  
\$489,454.00

D & G Construction Inc.  
Marshall, Minnesota  
\$491,642.50

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Quam Construction Co. Inc  
Willmar, Minnesota  
\$511,937.75

Chad Monson Excavating LLC  
Willmar, Minnesota  
\$585,439.00

Sanow moved, Boedigheimer seconded, the adoption of RESOLUTION NUMBER 3453, SECOND SERIES and that the reading of the same be waived. Resolution Number 3453, Second Series is a resolution Declaring the Official Intent Regarding the Reimbursement of Expenditures with the Proceeds of Tax-Exempt Bonds for "C" Street Reconstruction Project Y40. All voted in favor of the motion.

Sanow moved, Boedigheimer seconded, the adoption of RESOLUTION NUMBER 3454, SECOND SERIES and that the reading of the same be waived. Resolution Number 3454, Second Series is a resolution Accepting Bid (Award Contract) for "C" Street Reconstruction Project Y40. This contract was awarded to Rogge Excavating, Inc. Ghent, Minnesota in the amount of \$475,968.55. All voted in favor of the motion.

**CONSENT AGENDA A. TEMPORARY ON-SALE LIQUOR LICENSE FOR THE MARSHALL AREA CHAMBER OF COMMERCE FOR SEPTEMBER 8, 2010 AT 117 NORTH 3<sup>RD</sup> STREET; B. TEMPORARY ON-SALE LIQUOR LICENSE FOR THE MARSHALL AREA CHAMBER OF COMMERCE FOR SEPTEMBER 20, 2010 AT 122 NORTH 3<sup>RD</sup> STREET; C. APPROVAL OF A PROJECTOR FOR PROFESSIONAL DEVELOPMENT ROOM; D. AUTHORIZATION TO DECLARE VEHICLES AS SURPLUS PROPERTY; E. CONSIDER APPROVAL OF SECURITIES CUSTODIAL AGREEMENT WITH HOME FEDERAL BANK; F. CONSIDER APPROVAL OF AMENDMENT OF SMALL CITIES DEVELOPMENT PROGRAM PROCEDURAL GUIDELINES; G. APPROVAL BILLS/PROJECT PAYMENTS; H. PROGRESS ADDITION PLAT SURVEYOR'S CERTIFICATE OF CORRECTION;**

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

A Temporary On-Sale Liquor License for the Marshall Area Chamber of Commerce to use on September 8, 2010 at C & C Custom Interiors, 117 North 3<sup>rd</sup> Street. The fee for this license is \$30.00.

A Temporary On-Sale Liquor License for the Marshall Area Chamber of Commerce to use on September 20, 2010 at Amerprise Financial Services, 122 North 3<sup>rd</sup> Street. The fee for this license is \$30.00.

The approval to share the cost of a projector for the Professional Development Room with the Marshall District Office. The replacement cost of the projector is approximately \$1,056.00 of which the City would pay \$528 for their share.

Authorization be granted to the Department of Public Safety to dispose of surplus City property – six (6) vehicles. These vehicles will be auctioned using the State's On-Line auction process. Those vehicles that don't receive the minimum bid will be taken to Alter Metal Recycling for disposal.

The proper city personnel be authorized to enter into a Security Custodial Agreement with Home Federal Bank contingent upon review and approval of the City Attorney.

The proper city personnel be authorized to execute the First Amendment to the City of Marshall Small Cities Development Program (SCDP) Residential Owner Occupied Housing Rehabilitation Program. This amendment changes Guideline 8, which is Occupancy Standards.

The following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 70852 through 71003.

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The proper city personnel be authorized to execute the Progress Addition Plat Surveyor's Certificate of Correction.

All voted in favor of the motion.

**RECONSIDER SALARY FOR CITY COUNCIL:**

Council Member Sanow indicated that he would like to reconsider the salary issue for the Mayor and City Council. Council Member Sanow indicated that when the ordinance was introduced some of the council members thought they were considering an increase, but when they voted on the ordinance it was for a decrease. Sanow indicated that Council Member Doom was not at that meeting and wanted to give him an opportunity to voice his concerns. Sanow also indicated that he has had conversations with the general public and they asked why the council would consider a \$52.00 decrease. Council Member Doom indicated that it was his understanding that the Council Member's salary was tied to the city employees salary – whatever that was is what the council would receive. Doom indicated that he does not know why they are changing from that. Council Member Boedigheimer indicated that several years ago the council would go several years without a salary increase. Boedigheimer indicated that about 10 years ago there was a change for the Council salary to be tied to the employee salary making this an annual review.

Dennis Simpson, City Attorney, indicated that once a motion is brought back to the Council for reconsideration, the Council has the same options that they had for the original motion. Council Member Sanow asked if the Council needs to introduce an ordinance if they want to consider an increase.

Boedigheimer moved, Doom seconded, the introduction of an ordinance Amending the Salaries and Compensation of the Mayor and Council Members and revoking Ordinance Number 625, Second Series. This ordinance would provide for an increase of 1% based on their current wage effective January 1, 2011. Voting in favor of the motion were Boedigheimer, Sanow, Doom and Hulsizer. Voting no were: Ritter and Byrnes.

**CONSIDER CHANGE OF VENUE REQUEST FOR SOUNDS OF SUMMER (WHITNEY PARKING LOT TO PROPOSED MEMORIAL PARK):**

Ben Martig, City Administrator, reviewed the requests of the Sounds of Summer Planning Committee for change of venue for the events initially approved on May 11, 2010 to be held in the Whitney Lot. They are requesting that these events be moved to the proposed Memorial Park in downtown Marshall. They are also requesting closure of the following streets from 6:00 a.m. on Saturday, August 21, 2010 to 2:00 a.m. on Sunday, August 22, 2010, subject to review and approval of the Director of Public Safety as follows:

Marvin Schwan Memorial Drive from West College Drive to the east side of South 1<sup>st</sup> Street  
South 1<sup>st</sup> Street from the entrance to Casey's to Marvin Schwan Memorial Drive.

The following venue requests that were initially approved at the May 11, 2010 City Council meeting remain unchanged:

- 1) Closure of West Marshall Street next to Liberty Park to South First Street, as well as closure of North 1<sup>st</sup> Street from West Redwood Street to West Marshall Street on Thursday, August 19, 2010 from 2 pm to 10 pm. Approval on West Marshall Street leaving the entrance to Freedom Gas Station open.
- 2) Closure of South "A" Street from the North Memorial Ambulance entrance to East Saratoga Street on Friday, August 20, 2010 from 10 am to 4 pm, subject to satisfactory arrangements with North Ambulance Service.

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Greg Taylor has been contacted by the Sounds of Summer Committee regarding the apartment building in the immediate location of the event. The Sounds of Summer Committee has indicated he is supportive of the proposal. MN/DOT must approve the proposed street closure of West College Drive. They have made a preliminary review and do not see any issues. They will be finalizing their review and authorization on Monday, August 9, 2010.

Ritter moved, Sanow seconded, to approve the following requests of the Sounds of Summer Planning Committee for change of venue for the events initially approved on May 11, 2010 to be held in the Whitney Lot to the proposed Memorial Park in downtown Marshall, including closure of the following streets from 6:00 a.m. on Saturday, August 21, 2010 to 2:00 a.m. on Sunday, August 22, 2010, subject to review and approval of the Director of Public Safety; and contingent upon MN/DOT approval as follows:

- 1) Sounds of Summer Special Event Permit change of venue including beer garden relocation; and
- 2) Marvin Schwan Memorial Drive from West College Drive to the east side of South 1<sup>st</sup> Street;
- 3) South 1<sup>st</sup> Street from the entrance to Casey's to Marvin Schwan Memorial Drive; and
- 4) West College Drive from East Main Street to Saratoga.

All voted in favor of the motion.

**PROJECT Y51 / S.P. 139-090-03 - 2009 NORTH BIKE AND PEDESTRIAN TRAIL IMPROVEMENT PROJECT – CONSIDER CHANGE ORDER NO.2:**

Glenn Olson, Director of Public Works/City Engineer, indicated that the 2009 North Bike and Pedestrian Trail Improvement Project consists of bituminous off-road and on-road bike and pedestrian trail construction and signage from T.H. 19/68 along T.H. 23 to 269th Avenue just north of the Southwest Minnesota State University Campus; shaping and bituminous paving for the existing off-road trail beginning at 269th Avenue west to Justice Park (Kossuth and North 7th Streets); shaping and bituminous paving for the existing off-road trail beginning at CSAH 7 along the Redwood River to the Wayside Park on T.H. 23 South; and finally, bituminous off-road trail construction along Country Club Drive from Southview Drive to South 4<sup>th</sup> Street. Mr. Olson indicated that a portion of the work remaining to be completed on the current contract includes the installation of signs and painted pavement markings within the area impacted by the construction of the bike/pedestrian underpass structure on the MN/DOT T.H. 23 Project. The T.H. 23 Project work on the Southwest Minnesota State University side of the highway should be completed by August 20, 2010. The proposed contract extension for Project Y51: North Bike and Pedestrian Trail will provide approximately two weeks of time beyond this date for the contractor to complete the scheduled work in the area of the underpass structure.

Doom moved, Sanow seconded, the approval of Change Order No. 2 with Rogge Excavating, resulting in a contract 49-day time extension from July 16, 2010 to September 3, 2010 for Project Y51 / S.P. 139-090-03 – 2009 North Bike and Pedestrian Trail Improvement Project. All voted in favor of the motion.

**CONSIDER AMENDMENT TO STATE OF MN/DOT DETOUR AGREEMENT NO. 95280 REGARDING USE OF CSAH 33 AND CSAH 7 AS A T.H. 23 DETOUR AND MAINTENANCE OF THE DETOUR:**

Glenn Olson, Director of Public Works/City Engineer, indicated that MN/DOT Detour Agreement No. 95280 was approved by the City Council on October 13, 2009. The agreement provides for the use and maintenance of C.S.A.H. 33 as a detour route during the roadway construction and other associated construction to be performed upon, along and adjacent to T.H. 23 in connection with the T.H. 23 Pedestrian Underpass Project. Mr. Olson, reviewed Amendment No. 1 to MN/DOT Detour Agreement No. 95280 which provides for CSAH 7 to also be used as a detour to bypass the City for through traffic on T.H. 23.

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Mr. Olson indicated that per the original MN/DOT Detour Agreement No. 95280, the City agrees to reimburse Lyon County for road life consumed based upon the "Gas Tax Method" formula for an estimated amount of \$4,225.76. The amount shall be adjusted to the actual amount according to the actual duration of the project upon removal of the detour. Under Amendment No. 1 to this agreement, the anticipated amount to be compensated for CSAH 7 will be based upon the difference in traffic counts taken during the detour and after the detour has been removed.

Ritter moved, Doom seconded, that the proper city personnel be authorized to enter into Amendment No. 1 to MN/DOT Detour Agreement no. 95280 regarding the use of CSAH 33 and CSAH 7 as a T.H. 23 detour and maintenance of the detour. All voted in favor of the motion.

**INTRODUCTION OF ORDINANCE REVOKING ORDINANCE NO. 594, SECOND SERIES (ORDERLY ANNEXATION – MMU ELECTRICAL SUBSTATION AREA):**

Glenn Olson, Director of Public Works/City Engineer, indicated that on May 19, 2008 the City Council adopted Ordinance Number 594, Second Series Annexing the MMU Electrical Substation Area Property. The ordinance was submitted to the Office of the Administrative Hearings, Minnesota Boundary Adjustments for approval. After the review by the Office of the Administrative Hearings, Minnesota Boundary Adjustments, they have indicated that the process for the annexation of this property should have been annexed by a Joint Resolution for Orderly Annexation in accordance with the Joint Resolution of the City of Marshall and the Township of Lake Marshall designating certain areas as in need of orderly annexation pursuant to Minnesota Statutes, Section 414.0325. Therefore, Ordinance No. 594, Second Series needs to be revoked. This revocation ordinance will then be brought forward at the August 24, 2010 for adoption. At that time, the Joint Resolution for Orderly Annexation will be placed on the agenda for recommended adoption as well.

Sanow moved, Boedigheimer seconded, the introduction of an ordinance revoking Ordinance Number 594, Second Series regarding the annexation of the MMU Electrical Substation Area property. 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 Human Rights Commission met last Monday but Hulsizer was unable to attend; Library Board met tonight.

Doom Marshall Community Services Advisory Board is working on the Fall schedule.

Sanow No report.

Boedigheimer Airport Commission met last week and indicated they would like input on the airport budget; Police Commission will be meeting to discuss hiring of an Officer.

Ritter No report.

**STAFF REPORTS:**

Ben Martig, City Administrator, indicated that a meeting has been scheduled with Bremer Foundation; Mr. Martig will be in Granite Falls on Wednesday; and he is starting to work on the 2011 budget.

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Glenn Olson, Director of Public Works/City Engineer, indicated that the pedestrian underpass is progressing and the west side will be completed by the time SMSU opens. Mr. Olson also indicated that due to the rain fall there is a lot of water in the Ranch/Soucy Area, which has an impact on the street improvement project being done in that area.

Dennis Simpson, City Attorney, is continuing to work on the Library project, and the Sonstegard Plat. Mr. Simpson indicated that there has been an increase in the number of dog bites this year.

**COUNCILMEMBER INDIVIDUAL ITEMS:**

There were no Council Member individual items.

**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.	Dennis Lozinski Construction	1008	Cheryl	Avenue	Reroof (asphalt)	\$7,000
2.	James Lozinski Construction Inc.	127	"F"	Street	Reroof (asphalt)	\$6,500
3.	James Lozinski Construction Inc.	901	South	4th Street	Reroof (asphalt)	\$7,100
4.	James Lozinski Construction Inc.	503	Hawthorn	Drive	Reroof (asphalt)	\$10,000
5.	Rick Slagel Construction Inc	118	East	Redwood Street	Deck	\$2,500
6.	Kevin Schultz	1215	Prospect	Road	Install Lift from Garage to Basement	\$12,100
7.	Arlen Meyer	1303	Parkside	Drive	Reroof (asphalt)	\$3,000
8.	Brad & Heather Bigler	228	North	Whitney Street	Reroof (asphalt)	\$15,000
9.	AMEN Roofing & Construction	1115	Skyline	Drive	Reroof (asphalt)	\$16,000
10.	AMEN Roofing & Construction	303	North	Minnesota Street	Reroof (asphalt)	\$8,400
11.	AMEN Roofing & Construction	413	South	2nd Street	Reroof (asphalt)	\$8,200
12.	Tutt Construction, Inc.	903	Poplar	Avenue	Reroof (asphalt)	\$8,200
13.	Tutt Construction, Inc.	1509	Westwood	Drive	Reroof (asphalt)	\$8,700
14.	Scott VanOverbeke Construction LLC	110	Gray	Place	Reroof (asphalt)	\$7,500
15.	John & Janet Trost	503	Kennedy	Street	Reroof (asphalt)	\$6,000
16.	James Lozinski Construction Inc.	605	Peltier	Street	Reside & Replace Windows	\$7,000
17.	James Lozinski Construction Inc.	705	Viking	Drive	Reroof (asphalt)	\$12,000
18.	James Lozinski Construction Inc.	500	Elaine	Avenue	Reroof (asphalt)	\$8,000
19.	Matthew Terfehr	705	Parkside	Drive	Replace Step	\$600
20.	AMEN Roofing &	801	South	4th Street	Reroof (asphalt)	\$7,700

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	Construction					
21.	Marshall Commercial Properties, LLC	125	North	3rd	Street	Deck \$1,400
22.	Mike Buysse Construction Inc.	406		Kathryn	Avenue	Reroof (asphalt) \$4,000
23.	Grant & Katie Will	308		Warsaw	Circle	Finish Bathroom \$800
24.	JPJ Builders Inc.	1508		Westwood	Drive	Reroof (asphalt) \$15,000
25.	James Lozinski Construction Inc.	403		Williams	Street	Reroof (asphalt) \$5,000
26.	James Lozinski Construction Inc.	116	South	4th	Street	Reroof (asphalt) \$5,000
27.	Tutt Construction, Inc.	716		Marguerite	Avenue	Reroof (asphalt) \$6,200
28.	Kevin Goslar	300	West	Southview	Drive	Replace Windows, Doors, Interior Remodel \$5,000
29.	James & Heidi Schmidt	202	North	"A"	Street	Reroof (asphalt) \$4,700
30.	Bruce & Linda Saugstad	508		Jaguar	Court	Finish Basement \$10,000
31.	Dennis Lozinski Construction	408		Lawerence	Street	Reroof (asphalt) \$8,000
32.	Kim & Michelle Vermeire	111		Kathryn	Avenue	Reroof (asphalt) \$6,000
33.	CAB Quality Construction LLC	221		Oslo	Avenue	Reroof (asphalt) \$5,400
34.	Kevin Lanoue Construction	807		Silvervine	Drive	Reroof (asphalt) \$6,400
35.	Mike Buysse Construction Inc.	422		Legion Field	Road	Install Window \$500
36.	Buysse Roofing Systems & Sheet Metal Inc.	1400	East	College	Drive	Reroof (membrane) \$6,600

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

Sanow moved, Doom seconded, that the Council go into closed session at 6:35 P.M. pursuant to Minnesota Statute 13D.05 Subd. 3(b) regarding Attorney – Client Privilege. Ben Martig, City Administrator, indicated that they are not required to record this closed session, but if the City Council thinks it is necessary the proceedings will be recorded. All voted in favor of the motion.

Those present at the closed session included: Mayor Byrnes, Council Members Hulsizer, Sanow, Doom, Boedigheimer and Ritter. DeCramer arrived at 6:37 P.M. 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.

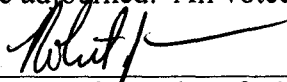
The issues addressed in this session were the Howard Steenhoven work comp claim; the Joe Bot vs City et al Small Cities Grant Rehab Program Litigation; and the Marshall-Lyon County Library bidding process.




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The council came out of closed session at 6:55 P.M.

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

  
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Mayor of the City of Marshall

ATTEST:

  
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Finance Director/City Clerk