

REGULAR MEETING – JANUARY 11, 2011

The regular meeting of the Common Council of the City of Marshall was held on January 11, 2011 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, DeCramer, Boedigheimer and Ritter. Absent: Sanow. Staff present included: Ben Martig, City Administrator; Dennis Simpson, City Attorney and Thomas M. Meulebroeck, Finance Director/City Clerk.

The Pledge of Allegiance was recited at this time.

APPROVAL OF AGENDA:

It was the general consensus of the council that the agenda be approved with the moving of item # 6, which is the Mayoral Appointments for Council members to Boards/Commissions/Committees to item # 2 E.1 under the consent agenda and the adding of item # 7. A, which is the consideration of disposal of surplus property as requested by the Department of Public Safety.

APPROVAL OF MINUTES:

Doom moved, Boedigheimer seconded, that the minutes of the regular meeting held on December 28, 2010 be approved as filed with each member and that the reading of the same be waived. All voted in favor of the motion.

CONSENT AGENDA – A. TEMPORARY ON-SALE LIQUOR LICENSE FOR SMSU TO USE AT SKEWES JEWELRY, 1300 SUSAN DRIVE ON FEBRUARY 5, 2011; B. ADOPT RESOLUTION DESIGNATING OFFICIAL NEWSPAPER FOR 2011; C. ADOPT RESOLUTION DESIGNATING THE OFFICIAL DEPOSITORIES FOR CITY FUNDS FOR 2011; D. RESOLUTION CALLING FOR A PUBLIC HEARING ON TAX INCREMENT FINANCING PLAN MODIFICATION TO BE HELD ON TUESDAY FEBRUARY 8, 2011; E. ORDINANCE ON AMENDMENTS FOR POLICE CIVIL SERVICE COMMISSION – CALL FOR A PUBLIC HEARING; E.1 APPROVE MAYORAL APPOINTMENTS FOR COUNCILMEMBERS TO BOARDS/COMMISSIONS/COMMITTEES; AND, F. APPROVAL BILLS/PROJECT PAYMENTS:

DeCramer 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 use on February 5, 2011 at Skewes Jewelry, 1300 Susan Drive, Marshall, Minnesota. The fee for this license is \$30.00.

The adoption of RESOLUTION NUMBER 3538, SECOND SERIES and that the reading of the same be waived. Resolution Number 3538, Second Series is a resolution Designating the Marshall, Minnesota “Independent” as the Official Newspaper for 2011 for the City of Marshall.

The adoption of RESOLUTION NUMBER 3539, SECOND SERIES, and that the reading of the same be waived. Resolution Number 3539, Second Series is a resolution Appointing the Official Depositories for the City of Marshall City Funds for the year 2011.

The adoption of RESOLUTION NUMBER 3540, SECOND SERIES and that the reading of the same be waived. Resolution Number 3540, Second Series is a resolution Calling for a Public Hearing on the Proposed Modification of the Modified Tax Increment Financing Plans for Tax Increment Financing Districts Within Redevelopment Project No. 1 and Redevelopment Project No. 2 of the Marshall Housing and Redevelopment Authority. The public hearing will be held on February 8, 2011 at 5:30 PM.

The introduction of an ordinance Abolishing the Police Civil Service Commission and Creating a Police Advisory Board and calling for a public hearing to be held on January 25, 2011.

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Since there was no change in the City Council members, Mayor Byrnes was not recommending any change in appointments of Council members to Boards/Commissions/Committees.

The following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher no. 72772 through 72991.

All voted in favor of the motion.

BI-ANNUAL REPORT OF THE AVERA MARSHALL REGIONAL MEDICAL CENTER – MARY MAERTENS:

Mary Maertens, CEO for the Avera Regional Medical Center was in attendance at the meeting to present the biannual report for the Avera Regional Medical Center.

PROJECT Y44: LEGION FIELD ROAD IMPROVEMENT PROJECT – CONSIDER RESOLUTION REDISTRIBUTING ASSESSMENT:

Ben Martig, City Administrator indicated that due to the sale of a portion of Parcel 27-485-006-1 in Legion Field Road Second Addition, the parcel was split into multiple parcel numbers. Therefore the outstanding remaining assessments on the properties require redistribution. Doom moved, DeCramer seconded, the adoption of RESOLUTION NUMBER 3541, SECOND SERIES and that the reading of the same be waived. Resolution Number 3541, Second Series is a resolution Redistributing Assessments for Legion Field Road Improvement Project Y44. This resolution provides for the assessments to be redistributed as follows:

Parcel Number	Remaining Original Assessment Amount	Remaining Redistributed Assessment Amount
27-485-006-1	\$1,087.93	
27-485-006-0		\$497.71
27-485-006-2		\$590.22

All voted in favor of the motion.

CONSIDER APPROVAL OF MINNESOTA PUBLIC FACILITIES AUTHORITY (MPFA) PROJECT GRANT AGREEMENT:

Ben Martig, City Administrator, indicated that the City of Marshall applied for a grant under the total maximum Daily Load (TMDL) Grant Program in 2010. The TMDL Grant Program, established in Minnesota Statutes, Section 446A.073, provides grants to governmental units to assist with the cost of wastewater treatment or stormwater projects necessary to meet wasteload reduction requirements under TMDL implementation plans prepared and approved under Section 303(d) of the federal Clean Water Act. The TMDL grant program provides grants for 50% of eligible costs up to a maximum of \$3,000,000. The determination of eligible costs will include a calculation by the MPCA of the Essential Project Component (EPC) percentage based on existing versus future needs. The TMDL Grant Program is administered by the PFA in cooperation with the MPCA. The MPCA is responsible determining eligible projects and eligible project costs and approving project plans and specifications. All projects must be certified by the MPCA to the PFA prior to award of a TMD or Phosphorus Reduction Grant.

Ritter moved, DeCramer seconded, that the proper city personnel be authorized to enter into a Minnesota Public Facilities Authority (MPFA) Project Grant Agreement. This grant is in the amount of \$309,215 and is for the Tiger Lake Expansion Project. Pursuant to Minnesota Statutes Section

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446A.04, an administrative fee equal to 0.5% of the grant amount (\$1,546.08) must be paid to the Minnesota PFA by the Grantee upon execution of this agreement. Mayor Byrnes commended the City Staff that have been involved in the preparation of this grant. All voted in favor of the motion.

SELECTION OF PRESIDENT PRO TEM BY COUNCIL:

Council Member Doom moved, Hulsizer seconded that Councilmember Boedigheimer be appointed as the President Pro-Tem for the City Council. All voted in favor of the motion

CONSIDER THE DISPOSAL OF SURPLUS PROPERTY;

Per the request of the Department of Public Safety, Ritter moved, Boedigheimer seconded that the pool of abandoned window, oscillating and pedestal fans that the Police Department has in its possession be declared as surplus and that the proper personnel be authorized to sell or dispose of them. All voted in favor of the motion.

COUNCILMEMBER COMMISSION/BOARD LIAISON REPORTS:

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

Byrnes: The Fire Relief Association will be meeting at 7:30 PM on 1-11-11 and the Regional Development Commission will be meeting on 1-13-11.

Hulsizer: The Marshall Lyon County Library Board met on 1-10-11 and discussed their policy on overdue books and other materials and the process of collecting. An update on the construction of the new Library was also discussed.

Doom: The Marshall Community Services Advisory Board had met and received an update on the current activities and the participation level.

DeCramer: The Finance Committee of the Marshall Municipal Utilities had met to complete the 2011 budget for the Utilities.

Boedigheimer: The Airport Commission had met and had received favorable comments from the FBO on the favorable quality of maintenance at the Marshall Airport in comparison to other Airports.

Ritter: The Housing Commission meeting was canceled due to the death of the Director's Father. The Equipment Review Committee had met to review the lighting proposals received for the various City Facilities.

STAFF REPORTS:

Ben Martig, City Administrator commented on the Chamber of Commerce State Banquet, the BR&E(Business Retention & Expansion)meeting he attend; his trip to the Capitol to address the proposed sales tax on the MERIT Center project and his meeting with Sen. Dahms and Rep. Swedzinski; and that he would be going to Mankato on January 17, 2011 to meet with the Greater Mankato Growth which consists of Mankato's EDA and Chamber of Commerce.

Dennis Simpson, City Attorney indicated that he had sent out the draft documents for the acquisition of the property at 109 A and 111 A Street. Mr. Simpson also indicated he is working with the Marshall Lyon County Library on their collection of fees on delinquent accounts for returning books and other materials.

COUNCIL MEMBER INDIVIDUAL ITEMS:

Doom was concerned with the parking of vehicles on the street between the bridge on S. 4th Street and MMU. Doom also indicated that the Adult Community Center is in need of replacing their dishwasher and that they are hosting a Belgium Waffle Fund Raiser to raise some money for the replacement. The City Council addressed the potential of the City and Lutheran Social Services participating in the cost of replacing the dishwasher.

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. Jeffrey & Bonnie Allen	1203		Westwood	Drive	Replace Windows	\$2,000
2. Geihl Construction, Inc.	116		McFarland	Circle	Finish Basement	\$21,400
3. Kim Stephens	502		Windstar	Street	Finish Basement	\$10,000
4. Business Properties of Marshall LLC	240	West	Main	Street	Demo	\$0
5. Salonek Concrete and Construction Inc.	1101		Winchester	Avenue	HVAC Remodel	\$129,500
6. Architectural Roofing & Sheetmetal, Inc.	300	South	Bruce	Street	Reroof (membrane)	\$158,400
7. Schwan's Food Manufacturing	1604		Superior	Road	Interior Remodel	\$131,000

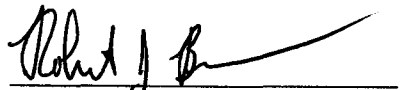
DETERMINATION TO GO INTO CLOSED SESSION PURSUANT TO MINNESOTA STATUTE 13D.05 SUBD. 3(C)(1) TO ESTABLISH PRICING RELATED TO REAL PROPERTY ACQUISITION AND SALE AT 805 WEST MAIN STREET:

Ritter moved, DeCramer seconded, that the Council go into closed session at 6:03 P.M. pursuant to Minnesota Statute 13D.05 Subd 3(c)(1) to establish pricing related to real property acquisition and sale at 805 West Main Street.

Those present at the closed session included: Byrnes, Hulsizer, Doom, DeCramer, Boedigheimer and Ritter. Staff present included: Ben Martig, City Administrator; Dennis Simpson, City Attorney and Thomas M. Meulebroeck, Finance Director/City Clerk.

The council came out of closed session at 6:20 P.M.

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


 Mayor of the City of Marshall

ATTEST:


 Financial Director/City Clerk