

REGULAR MEETING – APRIL 26, 2011

The regular meeting of the Common Council of the City of Marshall was held on April 26, 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, 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; Marc Klaith, Fire Chief; Sheila Dubs, Assistant to City Administrator; Eric Klenken, Police Officer; Ilya Gutman, Building Official; Thomas M. Meulebroeck, Finance Director/City Clerk; and Jane DeVries, Deputy 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 as recommended.

APPROVAL OF MINUTES

Sanow moved, Doom seconded, that the minutes of the regular meeting held on April 12, 2011 be approved as corrected and that the reading of the same be waived. All voted in favor of the motion.

DISTRACTION FREE DRIVING DAY PROCLAMATION:

Sheila Dubs, Assistant to the City Administrator, indicated that the Marshall Traffic Safety Coalition was formed in 2006 by a broad base of community stakeholders interested in addressing a variety of community-wide safety concerns. The coalition aims to raise safety awareness, provide safety education and implement strategies for a safer community. The Coalition is asking for the City Council to proclaim Thursday, April 28, 2011 Distraction-Free Driving Day throughout the City of Marshall. The month of April is designated by the Minnesota Office of Traffic Safety as Distracted Driving Awareness Month. On April 21st, law enforcement agencies around the state, including the Marshall Police Department, focused on an educational push coupled with enhanced enforcement effort for drivers who were texting, eating, reading, fiddling with the radio, shaving — and involved in other distracting actions.

To raise awareness specifically with the younger, more inexperienced drivers in Marshall, the Coalition is offering a distracted driving education program for high school and college students in Marshall. The *Arrive Alive Tour* from UNITE International, LLC visited Southwest Minnesota State University on April 20, 2011 from noon to 6 p.m. and will visit the Marshall High School on April 28 from 8 a.m. to 3 p.m.—coinciding with our request for the City Council to proclaim this as Marshall's Distraction-Free Driving Day. UNITE's *Arrive Alive Tour* program uses a high-tech simulator, impact video and a number of other resources to educate students about the dangers of texting while driving. The simulator allows students to experience, in a controlled environment, the potential consequences of distracted driving.

One of the most commonly recognized driving distractions is cell phone use. About 89 percent of all Americans have a cell phone, according to CTIA – The Wireless Association. Drivers under 20 years old have the highest proportion of distraction-related fatal crashes, according to the National Highway Traffic Safety Administration. Their lack of driving experience can contribute to critical misjudgments if they become distracted. Not surprisingly, they text more than any other age group and the numbers of young drivers who text is only increasing.

The Coalition could not have brought this program to the high school or college without the financial support of the following sponsors: AAA Minnesota, Brown & Brown Insurance, Marshall Fire Relief Association, Avera Marshall Regional Medical Center, Marshall PTA, Southwest Minnesota State University, Marshall Community Drivers Education Program, Kevin Dubs Agency of the Horace Mann

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Companies, and the Pride in the Tiger Foundation. UNITE brings health and wellness programs to high school and college campuses across the nation. Their programs are designed to heighten awareness to the dangers and consequences of drunk driving and distracted driving. Their follow-up programs also have a powerful impact on students to reinforce the subjects that schools and parents teach them daily.

Ritter moved, Sanow seconded, to adopt a Proclamation declaring Thursday, April 28, 2011 as Distraction Free Driving Day in the City of Marshall. All voted in favor of the motion.

ACCEPTANCE OF SAFE & SOBER AWARD FOR THE MARSHALL POLICE DEPARTMENT:

Brad Kollmann, a Law Enforcement Liaison for the Minnesota Department of Public Safety, Office of Traffic Safety, was in attendance at the meeting to present the 2010 2nd Place Safe and Sober Award to Rob Yant, Director of Public Safety and Eric Klenken, Police Officer, in the amount of \$2,000. This award was for the work done by the Department of Public Safety during 2010 with traffic safety education, outreach and enforcement efforts. All voted in favor of the motion.

AWARD OF BIDS - PROJECT C41: 9/11 MEMORIAL PARK PROJECT – PHASE 2 -- CONSIDER APPROVAL OF GENERAL CONTRACTOR AGREEMENT WITH BLADHOLM CONSTRUCTION, INC:

Bids were received, opened and read on April 5, 2011 for the 9/11 Memorial Park Improvement Project Y41 Phase 2. The bids received, opened and read were from:

Bladholm Construction Inc.
Marshall, MN 56258
\$285,127.80

Duininck Inc.
Prinsbrug, MN
\$396,843.15

Environmental Associates, Inc.
Willmar, Minnesota
\$308,272.00

Glenn Olson, Director of Public Works/City Engineer, indicated that the apparent low bidder for general construction was Bladholm Construction, Inc., in the amount of \$285,127.80. Mr. Olson indicated that after reviewing the project bid amounts, the scope of the project was reviewed with staff and the contractor for cost-saving suggestions. Mr. Olson indicated that any non-essential construction costs not directly associated with the 9/11 Memorial, entrance areas and bridge construction were deleted. This recommendation includes the construction of two (2) arches, memorial entrances, bridge, planters, 9/11 Memorial and landscaping, lighting and electrical design for the future development of the park.

Bladholm Construction and City staff have identified specific cost saving items reducing the project cost from \$285,127.80 to \$227,364.95, a difference of \$57,762.85. The elimination of some contract items and reductions of some other items totals \$32,762.85. In addition, Bladholm Construction has increased its donation to the project an additional \$25,000. It was indicated that the final estimated construction costs for the park would be approximately \$488,000. Community donations for the project total approximately \$202,000 and the remaining \$244,000 will come for other sources which include 2011 bonding, park reserves, the amenities fund, MMU and approximately \$40,000 from the Marshall Liquor Fund.

Ritter moved, Boedigheimer seconded, the bid for the 9/11 Memorial Park Improvement Project Y41 Phase 2 be awarded to Bladholm Construction, Inc., Marshall, Minnesota in the amount of \$227,364.95. All voted in favor of the motion, except Hulsizer who voted no.

APPROVAL OF CONSENT AGENDA – A. 3.2 PERCENT MALT LIQUOR LICENSE FOR MARSHALL BASEBALL ASSOCIATION FOR MAY 20, 2011 THROUGH SEPTEMBER 20, 2011; B. TRANSIENT MERCHANT LICENSE FOR THE COUNTRY STOP; C. AUTHORIZATION TO DECLARE BICYCLES AS SURPLUS PROPERTY; D. APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH AFSCME; E. PROJECT Y81: SONSTEGARD INDUSTRIAL PARK IMPROVEMENT PROJECT; PROJECT Y85: NORTHWEST INDUSTRIAL PARK FORCEMAIN LIFT STATION IMPROVEMENT PROJECT; AND PROJECT Y91: COUNTRY CLUB DRIVE PROJECT -- RETAINING PROFESSIONAL SERVICES APPRAISER; F. APPROVAL BILLS/PROJECT PAYMENTS:

Council Member Boedigheimer requested that item E, which is consideration to authorize the retaining of a professional services appraiser for the Sonstegard Industrial Park Improvement Project Y81, the Northwest Industrial Park Forcemain Lift Station Improvement Project Y85, and the Country Club Drive Project Y91, be removed from the consent agenda.

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

The approval of a Temporary 3.2 Percent Malt Liquor License for the Marshall Baseball Association for May 20, 2011 through September 20, 2011 at the Marshall Legion Field. The fee for this license is \$200.00.

The approval of a Transient Merchants License for the Country Stop to sell fresh produce at the Dairy Queen parking lot located at 1207 East College Drive. The fee for this license is \$315.00.

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

The proper city personnel be authorized to enter into a 2011 Memorandum of Understanding (MOU) between the City of Marshall and AFSCME designating an Interim Parks Supervisor. This MOU designates Preston Stensrud as the interim Parks Supervisor effective February 14, 2011.

The following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 74180 through 74414.

All voted in favor of the motion.

Council Member Boedigheimer indicated that he was not in favor of placing the request to retain Brovold & Company Appraisal Services on the consent agenda. Boedigheimer indicated that the City has never worked with this company and that City Attorney Simpson should not have entered into an agreement without council approval. Simpson indicated that they came highly recommended and that the appraisals needed to be completed as soon as possible. Council Member Sanow agreed with Boedigheimer that the council should have been informed before the contract was entered into.

Doom moved, DeCramer seconded, the approval of an engagement letter between the City of Marshall and Brovold & Company Appraisal Services. The costs for the appraisal services for each are as follows:

Project Y81 Sonstegard Improvement Project: Appraisal services fee not to exceed \$5,000 including \$1,500 retainer.

Project Y85 Industrial Park Life Station Forcemain Project: Appraisal services fee not to exceed \$8,000 including \$2,500 retainer.

Country Club Drive Relocation Project: Appraisal services fee not to exceed \$2,500 including \$0 retainer.

All voted in favor of the motion, except Boedigheimer who voted no.

CONSIDERATION OF ECONOMIC DEVELOPMENT SERVICE AGREEMENT WITH MARSHALL AREA CHAMBER OF COMMERCE:

Sanow moved, Boedigheimer seconded that the consideration of the Economic Development Service Agreement with the Marshall Area Chamber of Commerce be removed from the table. All voted in favor of the motion.

Sanow moved, Ritter seconded, that the consideration of the Economic Development Service Agreement with the Marshall Area Chamber of Commerce be tabled to the May 10, 2011 regular City Council meeting. All voted in favor of the motion.

PRESENTATION OF NORTH MEMORIAL AMBULANCE 2010 YEAR END REPORT:

Dan DeSmet, Manager of the North Memorial Ambulance System was in attendance at the meeting to present the annual year-end report for 2010.

CHAPTER 86 ZONING, ARTICLE VI, DIVISION 5 – A. ADOPTION OF ORDINANCE AMENDMENT TO THE CITY CODE RELATED TO CENTRAL HERITAGE DISTRICT EXTERIOR; B. ADOPTION OF SUMMARY ORDINANCE FOR PUBLICATION; C. APPROVAL OF RESOLUTION ADOPTING COLOR PALETTE:

Ben Martig, City Administrator, indicated that the Legislative & Ordinance Committee met on Wednesday, April 6, 2011 and approved the amendments to the City Code related to the Central Heritage Exterior Standards. This was a culmination following many meetings with the design review committee. There was significant input from impacted building owners during this process as well as the Chamber of Commerce. Notices of the proposed ordinance change were mailed to all building owners in the impacted district. Several comments were received from Norm Gregerson following the Legislative & Ordinance Committee meeting. These items were reviewed by staff.

Council Member Boedigheimer indicated that this ordinance has been reviewed by the Legislative and Ordinance Committee. Council Member Doom indicated that this ordinance was also reviewed by the Planning Commission and Design Review Committee.

Sanow moved, Doom seconded, the adoption of ORDINANCE NUMBER 634, SECOND SERIES and that the reading of the same be waived. Ordinance number 634, Second Series is an ordinance Amending Chapter 86 of the City Code Relating to Zoning. This ordinance provides for amendments to the City Code related to the Central Heritage District Exterior Construction Standards. All voted in favor of the motion.

Sanow moved, Ritter seconded, the adoption of SUMMARY ORDINANCE NUMBER 634, SECOND SERIES and that the reading of the same be waived. Summary Ordinance Number 634, Second Series is a summary of Ordinance number 634, Second Series that will be published in the newspaper. All voted in favor of the motion.

The Central Business District Rehabilitation Standards originally required that the “colors which were available at the time the building was constructed will be used.” It went on to describe them as “earth tones” and listed some shades of those tones for different time periods. During an extensive review of the Standards, the Design Review Committee decided that a better approach would be to have a color palette showing actual colors that can be used on the buildings in the Central Heritage District. Specific colors were presented and approved by the Design Review Committee as part of the Standards approval process. Even though the palette shows specific colors, the Standards allows using other colors that are close to the colors selected for the palette thus widening the range of possible colors that can be

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used. In addition black color was added to the palette to be used on awnings only as it is a common and appropriate color for this application.

There was a concern as to who makes the decision on what color is to be used in the Central Heritage District. Council Member Hulsizer was concerned that there were no shades of blue or gray.

Hulsizer moved, Sanow seconded, the adoption of RESOLUTION NUMBER 3574, SECOND SERIES and that the reading of the same be waived. Resolution Number 3574, Second Series is a resolution adopting the Central Heritage District Color Palette as presented with the addition of the color gray.

Russ Labat asked if the City has any control if an unusual color is used outside of the Central Heritage District. It was indicated that currently the City has no say, but this may be developed city wide.

All voted in favor of the motion.

AUTHORIZATION TO APPLY FOR A COMMUNITY ORIENTED POLICING SERVICES (COPS HIRING PROGRAM-CHP) GRANT:

Rob Yant, Director of Public Safety, indicated that the Office of Community Orientated Policing Services (COPS) has announced an expected grant program to fund full time personnel. COPS Hiring Program (CHS) is a competitive grant program that provides funding directly to law enforcement agencies having primary law enforcement authority to impact their community policing capacity and problem solving efforts. As a result of decreased funding to the City of Marshall, funding for one Police Officer was eliminated in 2009 and a second Police Officer position has been reduced from full-time to half-time in the current budget. As a result, Department Police staffing has dropped from twenty one full-time sworn officers to nineteen. The CHS program would fund one full-time sworn officer for the Police Department and restore a critical position that helps the Department and City of Marshall to adequately provide crucial police services to our residents.

CHP grants provide 100 percent funding for approved entry-level salaries and benefits for 3 years (36 months) for newly-hired, full-time sworn officer positions (including filling existing unfunded vacancies) or for rehired officers who have been laid off, or are scheduled to be laid off on a specific future date, as a result of local budget cuts. There is no local match requirement or cap on the amount of funding that can be requested per officer position, but CHP grant funding will be based on the City of Marshall's current entry-level salary and benefits packages. Any additional costs for higher than entry-level salaries and fringe benefits will be the responsibility of the City. The Department will have to train and equip any new officer. At the conclusion of federal funding, grantees must retain all sworn officer positions awarded under the CHP grant for a minimum of one year (12 months). The retained CHP-funded position(s) should be added to the grantee's law enforcement budget with state and/or local funds, over and above the number of locally-funded positions that would have existed in the absence of the grant.

Council Member Doom requested that Rob provide the City Council information on how much over-time would be eliminated with this grant.

Sanow moved, DeCramer seconded, the proper city personnel be authorized to apply for the Community Oriented Policing Services (COPS Hiring Program – CHP) Grant and that when the grant is awarded it be presented to the City Council. All voted in favor of the motion.

CONSIDER COMPENSATION STUDY WITH LAUMEYER HUMAN RESOURCE SOLUTIONS:

Sheila Dubs, Assistant to the City Administrator, reviewed the Professional Services Agreement with Laumeyer Human Resource for a Comprehensive Classification and Job Evaluation Study. Ms. Dubs indicated that the City's most recent classification and compensation study was completed in March, 2007. For that study, the City utilized the services of two consultants: Alfred Bunnnett (since retired) of the Hay Group for the job evaluation component and Ann Antonsen of Springsted for the market study (salary/benefit survey) and implementation plan components. At the conclusion of the study, the City Council provided direction to staff to complete these studies approximately every 5 years to ensure the City maintains compliance with the Minnesota Pay Equity Act and maintains market-comparable wages and benefits.

On March 4, 2011, staff advertised for a Request for Proposals (RFP) for a Position Classification and Job Evaluation Study. Three proposals were received from the following consulting firms:

1. Fox Lawson & Associates;
2. Laumeyer Human Resource Solutions; and
3. Springsted.

After reviewing the proposals, staff is recommending the Laumeyer Human Resource Solutions (Laumeyer) firm for the City of Marshall classification and job evaluation study. Of the three proposals received, this is the only firm with expert knowledge of the Hay pointing system currently utilized by the City; Mr. Brede has over 30 years of experience both as a practitioner and trainer in the use of this type of evaluation method. The Laumeyer proposal provided for a professional services agreement that will not exceed a total cost of \$15,000; which includes a one-year post project service to have an existing or new job class evaluated. The other two proposals contained provisions for additional costs including but not limited to: travel, copies, employee appeals, etc. Staff has worked with Laumeyer in the past and feels confident in the services and work product. Staff has requested a draft professional services agreement from Laumeyer which has been forwarded to the City Attorney for review.

Staff is proposing to complete a comprehensive job evaluation study this year (2011) and market study in 2012. During the last job evaluation study, 24 of the City's 60 full-time position classifications were sent to the Hay Group for job evaluation. Since the last study, there have been significant organizational changes that have resulted in the shifting of responsibilities and, in some instances, the elimination of key positions. City Staff has spent considerable time updating job descriptions and analyzing the qualifications required for each position, resulting in revisions for a number of positions. Therefore, staff is recommending Council consideration to pursue a more comprehensive study, encompassing each of the City's full and part-time positions. City Staff will be recommending Library and Public Housing classifications be included in this study, provided approval from their respective Board or Commission. If approved, this study will encompass 70 classifications: 57 full-time and 13 part-time positions. It was indicated that Laumeyer Human Resource Solutions would charge an additional fee for any position classification that is appealed.

Doom moved, Ritter seconded, that the proper city personnel be authorized to enter into a Professional Services Agreement with Laumeyer Human Resource Solutions for a Comprehensive Classification and Job Evaluation Study in an amount not to exceed \$15,000. Voting in favor of the motion were: Byrnes, Doom, Ritter and DeCramer. Voting no were: Boedigheimer, Sanow and Hulsizer.

Mayor Byrnes called for a 5-minutes recess at 7:10 P.M.

CONSIDER PARKWAY ADDITION – A. CONSIDER SUPPORT OF \$25,000 GRANT AGREEMENT WITH SOUTHWEST MINNESOTA HOUSING PARTNERSHIP AND ECONOMIC DEVELOPMENT AUTHORITY FOR THE CITY OF MARSHALL; B. CONSIDER RESOLUTION AUTHORIZING PAYMENT OF \$143,000 TO SOUTHWEST MINNESOTA HOUSING PARTNERSHIP AND GENERAL FUND INTERFUND LOAN; C. CONSIDER SUPPORT OF \$112,500 GRANT AGREEMENT WITH SOUTHWEST MINNESOTA HOUSING PARTNERSHIP AND ECONOMIC DEVELOPMENT AUTHORITY FOR THE CITY OF MARSHALL; D. CONSIDER 2011 RECOVERABLE GRANT AGREEMENT NO. 2010-07-56 AND GRANT NO. 2011-03-15 BETWEEN CITY OF MARSHALL, ECONOMIC DEVELOPMENT AUTHORITY FOR THE CITY OF MARSHALL AND THE GREATER MINNESOTA HOUSING FUND; E. CONSIDER RESOLUTION AUTHORIZING REPAYMENT OF INFRASTRUCTURE LOANS TO THE GREATER MINNESOTA HOUSING FUND; F. CONSIDER RESOLUTION ESTABLISHING SPECIAL REVENUE FUND AND DEDICATING FUTURE REVENUES FOR PAST OBLIGATIONS:

Ben Martig, City Administrator, indicated that the City of Marshall received \$168,000.00 in funding from the Southwest Minnesota Housing Partnership in 2005 for the purposes of an Employer Assisted Housing Down Payment Assistance Program. These funds originated from a grant from the Greater Minnesota Housing Fund to the Southwest Minnesota Housing Partnership with conditions and guidelines between those two entities. There was no written agreement approved with this funding between the City of Marshall and the Southwest Minnesota Housing Partnership.

The funds were never allocated to eligible projects and the required employer matching program has since been pulled and repaid. The City has been notified that Southwest Minnesota Housing Partnership has met the obligations to repay back these funds to the Greater Minnesota Housing funds. Although the City has no written agreement obligating the funds, the program guidelines with the Greater Minnesota Housing Fund suggest it is an appropriate obligation of \$168,000 to pay back to the Southwest Minnesota Housing Partnership. However, they are offering forgiveness of \$25,000 of this amount as a grant in consideration of circumstances to be used for the land acquisition of Parkway II with no further obligation back to Southwest Minnesota Housing Partnership.

Doom moved, Ritter seconded, approval of support of the \$25,000 Grant Agreement between Southwest Minnesota Housing Partnership and the Economic Development Authority for the City of Marshall. All voted in favor of the motion.

Ben Martig, City Administrator, indicated that for the remaining \$143,000 received from the Southwest Minnesota Housing Partnership in 2005. City staff is recommending paying this from the Parkway II Addition. However, there are not substantial funds available to make this repayment at this time. This resolution also outlines the interfund loan from unrestricted General Fund reserves to Parkway Addition II Fund. The City has been advised that it is appropriate to establish some interest and terms. Based on the projected lots available and sales prices (as well as land value); this interfund loan is likely to be secured. There is one other interfund loan (TIF) that has allocated funds to the Parkway II Addition.

Boedigheimer moved, Ritter seconded, the adoption of RESOLUTION NUMBER 3575, SECOND SERIES, and that the reading of the same be waived. Resolution Number 3575, Second Series is a resolution Authorizing Re-Payment of \$143,000.00 to the Southwest Minnesota Housing Partnership and Interfund Loan from General Fund to Fund 206 Parkway Addition II. This resolution provides for a loan in the amount of \$143,000.00. The loan shall bear interest at the rate of 1.0%. The Loan shall have a maximum term of 25 years, unless such term shall be extended by later resolution. Source of funds for repayment shall be from anticipated residential lot sales from remaining 62 lots as sales occur within the Parkway II Addition. All voted in favor of the motion.

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Ben Martig, City Administrator, indicated that according to project files, the City received funds in 2003 from the Southwest Minnesota Housing Partnership for rehabilitation of existing owner-occupied homes located within a redevelopment district which includes the Parkway II site. These funds originated from a program from Minnesota Housing Finance Agency to the Southwest Minnesota Housing Partnership. In 2005, a request was made by Southwest Minnesota Housing Partnership to Minnesota Housing Finance Agency (MHFA) to utilize the remaining funds of \$112,500 for a land and infrastructure permanent subsidy within the Parkway II project. Further documentation appears to support this was approved by MHFA.

Staff is recommending approval of the attached agreement to codify the grant agreement and to meet its original intended use. There are no additional terms of the grant so the funds will permanently be provided to the city with no payback provisions. This is in effect an administrative "housekeeping" item that was identified in our comprehensive review of the Parkway Addition II items that are being presented at this council meeting.

Ritter moved, Doom seconded, approval of support of the \$112,500 Grant Agreement between Southwest Minnesota Housing Partnership and the Economic Development Authority for the City of Marshall. All voted in favor of the motion.

Ben Martig, City Administrator, reviewed the proposed 2011 Recoverable Grant Agreement with Greater Minnesota Housing Fund and the City of Marshall and Marshall Economic Development Authority. This agreement addresses a number of issues including some actions that interrelate with other actions at the council this evening.

The primary intent of this agreement is to identify a grant related to the conditional grant of \$127,500. The conditions include a commitment for the 30 income restricted lots to reduce in price from \$21,750 to \$17,500. Additionally, the city is required to reduce their comparable 16 lots from \$29,750 to \$12,250. Although the city is reducing the lots the grant will offset a significant portion. The last presentation had the other remaining 32 lots reduced in price as well. However, staff has negotiated to remove that restriction which significantly reduces the cost impact to the city. This may also address some of the past concerns raised by developers as the larger lots will have no change in lot price.

This agreement also authorizes the city to repay \$308,317.81 to repay the construction loans to Greater Minnesota Housing Fund. These funds originated from them and are no longer being offered for use. The agreement also provides the City \$180,000.00 for homebuyer affordability gap assistance. These funds are held with the Greater Minnesota Housing Fund and applied for on a case by case basis. The City will be de-allocated \$620,000 that was previously designated to Marshall. However, GMHF was originally proposing to de-allocate the entire amount.

Ben Martig, City Administrator, indicated that the City has a number of obligations that have come due and there are not a lot of alternatives on how to pay these obligations. One of the options was to use Tax Increment Financing money to repay the loans to the Greater Minnesota Housing Fund. Martig indicated that the city's bond counsel had reviewed this proposal and concluded that the loan repayment would be a legal use for TIF funds.

Council Member Sanow indicated that he was not in favor of using TIF funds. He indicated that sometimes something can be legally right but be morally wrong. He questioned how using the TIF money to pay the loans would be fair to Lyon County and the Marshall School District, both of which also use TIF.

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Sanow moved, Hulsizer seconded, to not approve the 2011 Recoverable Grant Agreement: Grant No. 2010-07-56 and Grant no. 2011-03-15 between the City of Marshall, the Economic Development Authority and the Greater Minnesota Housing Fund. Voting in favor of the motion were Sanow and Hulsizer. Voting no were: Byrnes, Doom, DeCramer and Ritter. Boedigheimer abstained. The motion failed.

DeCramer moved, Doom seconded, that the proper city person be authorized to enter into the 2011 Recoverable Grant Agreement: Grant No. 2010-07-56 and Grant no. 2011-03-15 between the City of Marshall, the Economic Development Authority and the Greater Minnesota Housing Fund. This agreement identifies a grant related to the conditional grant of \$127,500; authorizes the City to repay \$308,317.81 to Greater Minnesota Housing Fund; and provides the City \$180,000 for homebuyer affordability gap assistance. Voting in favor of the motion were: DeCramer, Doom, Byrnes, and Ritter. Voting no were: Sanow and Hulsizer. Boedigheimer abstained.

Ben Martig, City Administrator, indicated that the City of Marshall received two notes from the Greater Minnesota Housing Fund related to the infrastructure development of Parkway II Addition. Payments have been made as lots have sold. The remaining balance of these loans are \$617,191.01. The Greater Minnesota Housing Fund has called these notes due and payable. They have authorized several extensions but have indicated that the current deadline for repayment is April 30, 2011.

Doom moved, DeCramer seconded, the adoption of RESOLUTION NUMBER 3576, SECOND SERIES and that the reading of the same be waived. Resolution Number 3576, Second Series is a resolution Authorizing Repayment of Infrastructure Loans to the Greater Minnesota Housing Fund. This resolution provides for the payment of \$617,191.01 to the Greater Minnesota Housing Fund. Voting in favor of the motion were: Doom, DeCramer, Byrnes and Ritter. Voting no were: Sanow, Boedigheimer and Hulsizer.

Ben Martig, City Administrator, indicated that Special Revenue Funds are used to account for the proceeds of specific revenue sources that are legally restricted to expenditure for specified purposes. Such restrictions may be required by statute, local ordinance or resolution. The City has a number of funds that fall within this category. This Special Revenue Fund would be used to collect lot revenues less obligations back to the \$143,000.00 interfund loan and TIF interfund loan of \$585,365.70 (repayment of former employer down payment assistance loan from Schwans). These funds may not be realized for some time or in a lesser amount depending on lot sale prices and the outstanding conditional grant received by the Greater Minnesota Housing Fund. There would likely be no revenues for some time in this fund as obligations will first go to the other obligations.

Boedigheimer moved, Ritter seconded, the adoption of RESOLUTION NUMBER 3577, SECOND SERIES and that the reading of the same be waived. Resolution Number 3577, Second Series is a resolution Establishing a Special Revenue Fund to be Designated as "Parkway Infrastructure Fund". This Special Revenue Fund will be use to collect future revenue from lot sales. All voted in favor of the motion.

PROJECT Y52 T.H. 59 AND ONTARIO ROAD IMPROVEMENT PROJECT – CONSIDER CHANGE ORDER NO. 4 (FINAL) AND ACKNOWLEDGEMENT OF FINAL PAYMENT APPLICATION:

Glenn Olson, Director of Public Works/City Engineer, reviewed Change Order No. 5 (Final) for T.H. 59 and Ontario Road Improvement Project Y52 with GM Contracting, Inc., of Lake Crystal, Minnesota resulting in a contract decrease of \$34,760.68. This change order is the result of as-built quantities.

Boedigheimer moved, Sanow seconded, the approval of Change Order No. 4 (Final) with GM Contracting, Inc., of Lake Crystal, Minnesota for a contract decrease of \$34,760.68 and the acknowledgement of the final payment in the amount of \$131,063.83 for T.H. 59 and Ontario Road Improvement Project Y52. All voted in favor of the motion.

PROJECT Y85: NORTHWEST INDUSTRIAL PARK AREA SANITARY SEWER LIFT STATION AND FORCEMAIN IMPROVEMENT PROJECT – CONSIDER CHANGE ORDER NO. 1:

Glenn Olson, Director of Public Works/City Engineer, reviewed Change Order No. 1 for Northwest Industrial Park Area Sanitary Sewer Lift Station and Forcemain Improvement Project Y85 with Voss Plumbing & Heating, Inc., of Paynesville, Minnesota resulting in a contract decrease in the amount of \$50,422.00. The contractor approached the City with a value engineering idea for the project. They proposed to reduce the amount of 12" forcemain scheduled to be directional drilled from 4,568 L.F. to 1,275 L.F. The remainder of the 12" forcemain would be installed by open trench methods at a reduced unit price. However, the proposed plan would increase the plan quantity units for slit fence, seeding and mulch. The net result is a reduction in the contract amount. This change order also changes the original gate valves to valmatic plug valves. The 18" DIP for the WWTF overflow pipe will not be 18" DR 18 C905 pipe. The contractor proposes to provide all materials and labor associated with these items at no additional cost to the project. The contractor also proposes to supply and install valve extensions to all valves on the project (\$900.00 value) in exchange for the WWTF charge to televise the gravity portions of the mains on the project. The WWTF has agreed to the terms of this change order.

DeCramer moved, Sanow seconded, the approval of Change Order No. 1 with Voss Plumbing & Heating, Inc., of Paynesville, Minnesota for a contract decrease in the amount of \$50,422.00 for the Northwest Industrial Park Area Sanitary Sewer Lift Station and Forcemain Improvement Project Y85. All voted in favor of the motion.

PROJECT Y81: SONSTEGARD INDUSTRIAL PARK IMPROVEMENT PROJECT – PHASE I – CONSIDER RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS:

Glenn Olson, Director of Public Works/City Engineer, reviewed the Sonstegard Industrial Park Improvement Project Y81 – Phase I. Mr. Olson indicated that Phase I includes the installation of sanitary sewer main along the west side of T.H. 59 North to Michigan Road, then includes the installation of gravity sewer main on Michigan Road to the west property line of the Diamond Clear Ice facility. A new sanitary sewer main will also be constructed along the south property line of the Titan Machinery site. The project includes the installation of a new 12-inch watermain along Michigan Road from the west property line of the Diamond Clear Ice facility to the east side of T.H. 59. A new 16' inch watermain will be installed along the east side of T.H. 59 from Ontario Road to Huron Road. An 8-inch watermain service line will be installed under T.H. 59 to the Titan Machinery site. The project also includes the reconstruction of Michigan Road from the west property line of the Diamond Clear Ice facility to T.H. 59.

Boedigheimer moved, DeCramer seconded, the adoption of RESOLUTION NUMBER 3578, SECOND SERIES and that the reading of the same be waived. Resolution Number 3578, Second Series is a resolution Approving Plans and Specifications and Ordering Advertisement for Bids for the Sonstegard Industrial Park Improvement Project Y81 – Phase I. The bids for this project will be received on May 19, 2011. All voted in favor of the motion.

PROJECT Y88: DONITA AVENUE RECONSTRUCTION PROJECT – CONSIDER RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS:

Glenn Olson, Director of Public Works/City Engineer, reviewed the Donita Avenue Reconstruction Project Y88. Mr. Olson indicated that this project involves the replacement of watermain, sanitary sewer, partial replacement of storm sewer, and street reconstruction. The proposed project will reconstruct Donita Avenue and described utilities from South 1st Street to South 4th Street, including South 1st Street to the intersection of Southview Drive.

Boedigheimer moved, DeCramer seconded, the adoption of RESOLUTION NUMBER 3579, SECOND SERIES and that the reading of the same be waived. Resolution Number 3579, Second Series is a resolution Approving Plans and Specifications and Ordering Advertisement for Bids for Donita Avenue Reconstruction Project Y88. The bids for this project will be received on May 19, 2011. All voted in favor of the motion, except Sanow who voted no.

PROJECT Y76: TRAVIS ROAD EXTENSION PROJECT (WATER PLANT ENTRANCE ROAD) – CONSIDER RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS:

Glenn Olson, Director of Public Works/City Engineer, reviewed Travis Road Extension Project (Water Plant Entrance Road) Project Y76. Mr. Olson indicated that Travis Road, a newly-dedicated public right-of-way, is a section of public roadway extending southward from T.H. 23 adjacent to the water plant and Southwest Coaches. The intent of the project is to reconstruct the existing private driveway as a public street with 10-ton design characteristics. The project includes reconstruction of the roadway, installation of a new sanitary sewer service for Southwest Coaches and driveway installations.

Doom moved, DeCramer seconded, the adoption of RESOLUTION NUMBER 3580, SECOND SERIES and that the reading of the same be waived. Resolution Number 3580, Second Series is a resolution Approving Plans and Specifications and Ordering Advertisement for Bids for Travis Road Extension Project (Water Plant Entrance Road) Project Y76. The bids for this project will be received on May 19, 2011. All voted in favor of the motion, except Sanow and Ritter.

SEC. 78-73 – POWERS AND AUTHORITY OF INSPECTIONS – ADOPTION OF ORDINANCE MODIFYING THE SUMP PUMP INSPECTIONS:

Dennis Simpson, City Attorney, indicated that in light of the State wide snow depths and threat of flooding this spring, a number of municipalities have been raising the issue as to whether or not cities have the authority to enter private property for the purpose of inspecting sump pump systems to verify compliance with City ordinance. The local City ordinances for Marshall prohibit discharge of sump pump systems into the sanitary sewer systems. The current ordinance does allow City personnel to inspect private residence to verify compliance. However, there was a Federal district court case initiated in the district court of Minnesota, wherein a resident of the City of New Canada, Minnesota did challenge the authority of City officials to inspect private property. The citizen asserted a 4th amendment right against illegal search and seizure issues. The Federal district court indicated that City ordinances only permitting City officials to inspect the property were unconstitutional and did not give City officials permission to inspect residences. However, if the City ordinances gave the homeowner the option to hire a licensed plumber to conduct the inspection and provide those inspection results to the City, that said City ordinances were in compliance with State and Federal constitutions and those ordinances, would be upheld.

Sanow moved, Boedigheimer seconded, the adoption of ORDINANCE NUMBER 635, SECOND SERIES and that the reading of the same be waived. Ordinance Number 635, Second Series is an ordinance Amending Chapter 78, Section 78-73 of the Marshall Code of Ordinances Relating to

Sump Pump Inspections. This ordinance provides that in lieu of having the City inspect such property, the property owner may, at the property owner's expense, furnish a certificate from a licensed plumber in a form acceptable to the City, within 15 days of receiving notice from the City certifying that the property is in compliance. All voted in favor of the motion.

SEC. 22.91 – LICENSE AND BOND – ADOPTION OF ORDINANCE ABOLISHING PLUMBERS LICENSE FEES:

Ben Martig, City Administrator, indicated that the City of Marshall currently has a plumbing license. Upon further research of State statutes, it does not require a local license or fees. The Ways and Means had a discussion questioning the need for a plumber's license and associated annual fee of \$80.00 during the 2010 review of resolution of fees for 2011. The \$80.00 was justified in that building permit fees were not charged for projects that were exclusively for plumbing.

Effective January 1, 2011 the City began charging for plumbing projects including, but not limited to, water heaters, A/C, sump pump installation and others as required by the Minnesota State Building Code, with applicable fees to be paid based on valuation. This change put plumbing projects on par with other construction projects. Due to new revenues created with plumbing licenses, staff believes the City can justify eliminating the fee. Staff also is recommending refunding the \$60.00 annual fee back to the plumbing contractors for their 2011 license. The City is in transition for 2011 due to changing to a calendar based fee schedule which is why the fee was only \$60.00 this year.

Staff also recommends eliminating the plumber's license entirely. This would put the plumbers on par with our other contractors. The argument to keep the license would be that it would provide the ability to revoke if we run into issues with a contractor. The Ways and Means Committee met on Tuesday, March 29, 2011 and approved to terminate the requirement for a Plumber's License for the City of Marshall along with reimbursing the \$60.00 license fees for 2011.

Boedigheimer moved, Ritter seconded, the adoption of ORDINANCE NUMBER 636, SECOND SERIES and that the reading of the same be waived. Ordinance Number 636, Second Series is an Ordinance Amending Chapter 22 of the Marshall Code of Ordinances Relating to Plumbers Licenses. This ordinance provides for Section 22-91 of the Marshall City Code to be removed. This motion also provides that the \$60.00 Plumbers License fee paid for 2011 be refunded. All voted in favor of the motion.

PLUMBERS LICENSE RENEWAL FOR MINNWEST PLUMBING & HEATING INC:

It was the general consensus of the council that this item be removed from the agenda.

**CONSIDER APPROVAL OF SMALL CITIES DEVELOPMENT PROJECT GRANT WAIVER
A. FILE NO. 115; B. FILE NO. 177:**

Ben Martig, City Administrator, indicated that a household that will be referred to as file number 115 was recently approved for the Small Cities Development Program (SCDP). This applicant meets all of the guidelines, but the individual does not have the necessary funds, therefore the project is not able to proceed. The bank denied the household's request for refinancing a loan. The applicant has attempted to come up with a source of matching funds, but has not been able to do so. The applicant is not eligible to receive the usual sources used for matching funds, such as MHFA and Weatherization.

The individual is a single parent, the loan to value is 114.67 and personal income is calculated at \$24,385.00. The full grant would be \$21,442.00. Because of the inability to fund matching funds and as per the policies and procedures outlined in the contract, a request is being made for a waiver to proceed with the project using 100% deferred loan (forgivable) rather than the standard guidelines of 70% deferred loan (forgivable) and 30% leveraged funds as outlined in Section 5b. of the SCDP Residential

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Owner Occupied Housing Rehabilitation Program Procedural Guidelines.

The guidelines of Section G.5.a. state “the Deferred Loan will only be applied toward 70% of SCDP eligible repairs unless a waiver is obtained from the governing body. In Section H. Eligible Improvements, the guidelines address waiver of program requirements. Waivers may be requested to address the following housing deficiencies:

- a. Repairs that address code violations that effect health and safety.
- b. Repairs that affect the elimination of Lead Based Paint and Asbestos.
- c. Repairs affecting structural integrity.
- d. Modifications to make the home handicapped accessible in cases where a medically documented need exists.
- e. Modifications to address overcrowding conditions.
- f. SHPO mandated repairs, etc.

The bid proposal specify the different areas of improvement which includes removing Lead materials and improving the health and safety of the home.

Council Member Boedigheimer was concerned that by approving these requests the City would be setting a precedent. Council Member Sanow questioned whether these projects were necessary.

Ritter moved, Boedigheimer seconded, to approve the waiver request for a Small Cities Development Program Grant for File #115. All voted in favor of the motion.

Ben Martig, City Administrator, indicated that a household that will be referred to as file number 177 was recently approved for the Small Cities Development Program (SCDP). This applicant meets all of the guidelines, but the individual does not have the necessary funds, therefore the project is not able to proceed. The bank denied the household's request for refinancing a loan. The applicant has attempted to come up with a source of matching funds, but has not been able to do so. She is not eligible to receive the usual sources used for matching funds, such as MHFA and Weatherization.

The individual is a single parent, with a loan to value of 82.42. The individual's income is calculated at \$27,872.00. The full grant would be \$6,674.00. Because of the inability to fund matching funds and as per the policies and procedures outlined in the contract, a request is being made for a waiver to proceed with the project using 100% deferred loan (forgivable) rather than the standard guidelines of 70% deferred loan (forgivable) and 30% leveraged funds as outlined in Section 5.b. of the SCDP Residential Owner Occupied Housing Rehabilitation Program Procedural Guidelines.

The guidelines under Section G.5.a. state “the Deferred Loan will only be applied toward 70% of SCDP eligible repairs unless a waiver is obtained from the governing body (City Council). In Section H. Eligible Improvements, the guidelines address waiver of program requirements. Waivers may be requested to address the following housing deficiencies:

- a. Repairs that address code violations that effect health and safety.
- b. Repairs that affect the elimination of Lead Based Paint and Asbestos.
- c. Repairs affecting structural integrity.
- d. Modifications to make the home handicapped accessible in cases where a medically documented need exists.
- e. Modifications to address overcrowding conditions.
- f. SHPO mandated repairs, etc.

The bid proposal specify the different areas of improvement which includes a pre-hung steel door, windows, gutters, and downspouts.

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Ritter moved, Boedigheimer seconded, to approve the waiver request for a Small Cities Development Program Grant for File #177. All voted in favor of the motion.

CONSIDER APPOINTMENTS TO VARIOUS BOARDS/COMMISSIONS:

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

EDA – Dave Eden be reappointed for a 6-year term to expire on May 31, 2017

Human Rights Commission – Andy Hedlin be reappointed for a 3-year term to expire on May 31, 2014

Planning Commission – Steve Schell be reappointed for a 3-year term to expire on May 31, 2014

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 Fire Relief Association held their quarterly meeting; Regional Development Commission will meet on Friday; Regional Radio Board reviewed the grant funding for the transition to new radios.

Hulsizer Convention and Visitors Bureau – met and reviewed an update on the Sounds of Summer

Doom Planning Commission and Personnel Committee items were acted on earlier in the meeting.

Sanow Marshall Area Transit is considering purchasing small buses and there was discussion on a grant for terminals to be located in the buses.

DeCramer EDA was acted on earlier in the meeting; Utilities Commission reviewed their annual audit.

Boedigheimer No report.

Ritter No report.

STAFF REPORTS:

Ben Martig, City Administrator, indicated that EDA will be meeting on Friday to review the items approved earlier in the meeting; there is a Joint City/County meeting on Tuesday, May 3, 2011 to discuss the EDA Position. Ben will be in St. Paul on Wednesday in regard to the proposed sales tax option for the City of Marshall.

Glenn Olson, Director of Public Works/City Engineer, provided an update on the proposed Country Club Drive and Highway 7 project. Mr. Olson indicated that this will be discussed at the next regular City Council meeting on May 10, 2011.

Dennis Simpson, City Attorney, will be working on negotiations for land acquisition for the Country Club Drive project.

COUNCIL MEMBER INDIVIDUAL ITEMS.

There were no additional items brought forth by the Council.

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REVIEW OF PENDING AGENDA ITEMS:

There were no questions on the pending agenda items.

INFORMATION ONLY:

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

Applicant		Location Address				Description of Work	Valuation
1.	Steven or Ruth Quist	704		Marguerite	Avenue	Install Wall & Doors in Basement	\$1,000
2.	Jag Properties	1210	East	College	Drive	Interior Remodeling Occupancy Change	\$10,000
3.	Lozinski Rentals	417	North	6th	Street	Interior Remodel	\$7,000
4.	Troy's Electric Company	1710	East	College	Drive	Install Sign	\$1,600
5.	Business Properties of Marshall, LLC	238-240	West	Main	Street	Metal Back Brick Wall - Second Floor	\$2,500
6.	John Hiller	230	West	Lyon	Street	Reroof (membrane)	\$8,000
7.	Kevin Lanoue Construction	115		G	Street	Replace Door	\$1,700
8.	Shane A. & Katherine L. Weckwerth	108	East	Redwood	Street	Reroof (asphalt), Remodel Porch	\$39,600
9.	True Value Home Center	501	West	College	Drive	Replace Windows	\$9,000
10.	S.E.W. Enterprise, Inc.	1420	East	College	Drive	Temporary Sign/Banner	\$0
11.	James Martin	315	East	Main	Street	Reroof	\$2,000
12.	Curtis Lamote	310		Lawerence	Street	Reroof Dwelling (asphalt)	\$5,000
13.	American Waterworks	106	South	Minnesota	Street	Basement Waterproofing	\$4,900
14.	American Waterworks	604	North	4th	Street	Basement Waterproofing	\$6,000
15.	Grace Life Church	601	East	College	Drive	Replace Windows	\$1,700
16.	Geihl Construction, Inc.	1205		Parkside	Drive	Bathroom & Laundry Room Remodel	\$3,400
17.	Calvary Baptist Church	500	South	Saratoga	Street	Sign	\$14,200
18.	Kesteloot Construction, Inc.	102		Parkview	Drive	Replace Windows	\$10,000
19.	Tutt Construction, Inc.	317	West	Main	Street	Replace Door	\$900
20.	Gary Vlaminck Construction	1505		Westwood	Drive	Reroof	\$6,000
21.	Gary Vlaminck Construction	601		Parkside	Drive	Reroof	\$10,000
22.	Diane Buesing	613		Camden	Drive	Replace part of basement floor ,	\$12,000

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						Repair basement walls	
23.	Mike Buysse Construction Inc.	606		Arbor	Court	Reroof (asphalt)	\$7,000
24.	Alternative of Marshall Inc.	114	North	3rd	Street	Sign	\$100
25.	Mamer Construction LLC	504		Viking	Drive	Addition	\$15,000
26.	Bruce Lidstrom	419	North	3rd	Street	Install steps to deck	\$600
27.	Gary Vlaminck Construction	316	East	Main	Street	Addition	\$15,000
28.	James Lozinski Construction Inc.	604		Jefferson	Circle	Reroof (asphalt)	\$6,500
29.	James Lozinski Construction Inc.	130		E	Street	Reroof Garage	\$2,000
30.	Gary Thielges	300	North	A	Street	Bathroom Remodel	\$1,600
31.	Kesteloot Construction, Inc.	205	West	Southview	Drive	Reroof asphalt	\$6,100
32.	Robert Koska	800		Cheryl	Avenue	Shed	\$1,200
33.	Ricky & Deborah Ramert	502	North	Bruce	Street	Reroof (asphalt), Covered Porch addition	\$5,000
34.	Jon & Lora Kruger	1306		Parkside	Drive	Finish Garage	\$2,000
35.	American Waterworks	400		William	Street	Basement Waterproofing	\$4,200
36.	American Waterworks	405	South	Whitney	Street	Basement Waterproofing	\$7,100
37.	James Lozinski Construction Inc.	707		Viking	Drive	Reroof asphalt	\$10,000
38.	James Lozinski Construction Inc.	1202		Patricia	Court	Reroof (asphalt)	\$7,000
39.	Francis & Marie Moorse	110		George	Street	Reroof	\$8,000
40.	Kesteloot Construction, Inc.	804		Brian	Street	Bathroom Remodel	\$5,200
41.	Kesteloot Construction, Inc.	501		Donita	Avenue	Addition	\$19,000
42.	Babcock Construction	200		Carrow	Street	Replace windows	\$1,500
43.	Adam Fritz	805	North	5th	Street	Reroof, asphalt	\$3,500
44.	James Lozinski Construction Inc.	603		Elm	Street	Reroof asphalt	\$5,000
45.	James Lozinski Construction Inc.	607		Parkside	Drive	Replace Doors	\$700
46.	James Lozinski Construction Inc.	901		Columbine	Drive	Replace Door	\$400
47.	Patrick & Christina Blomme	428	North	7th	Street	Add half bathroom	\$1,600
48.	Chad Nigg	210		Robert	Street	Reside vinyl, replace patio door, replace	\$8,000

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garage window

49.	Anda Construction Company	901	Pearl	Avenue	Rain Gutters	\$1,700
50.	Anda Construction Company	801	Pearl	Avenue	Rain Gutters	\$1,700
51.	Jesse Trebil Foundation Systems	112	Gray	Place	Interior drain tile	\$3,300
52.		206	North	Whitney	Street	Remove section of wall replace sheetrock \$500
53.	Robert Carr	1715		Thunderbird	Road	Dwelling \$130,000
54.	John & Becky Bot	1103		Indiana Jones	Avenue	Interior Remodel & HVAC \$8,000
55.	Francis VanKeulen	208		Sunrise	Lane	Replace door \$600
56.	Jesse Trebil Foundation Systems	406		Charles	Avenue	Interior drain tile \$3,500
57.	True Value Home Center	601		Deschepper	Street	Dwelling \$190,000

Applicant		Location Address			Description of Work	Valuation
1.	Trio Plumbing & Heating	607	Cougar	Court	Finish Bathroom, Sink, HVAC	\$1,500.00
2.	Julie Kopperud	1107	Horizon	Drive	Replace Water Heater	\$800
3.	Bisbee Plumbing & Heating	204	Mustang	Trail	Install Bathrooms	\$12,300.00
4.	Ricky J. Myhre	800	DeSchepper	Street	Bathroom Remodel	\$300.00
5.	Diane Buesing	613	Camden	Drive	Install plumbing for bathroom	
6.	E.T. Heating & Cooling	1205	Parkside	Drive	Bath & Laundry Remodel	\$500.00
7.	Trio Plumbing & Heating	316	East Main	Street	Addition	
8.	Terry Zinnel	306	East Main	Street	Water Heater	\$500.00
9.	Cottonwood Coop Oil Company	108	George	Street	Water Heater	\$500.00
10.	Bisbee Plumbing & Heating	201	C	Street	Library	
11.	Bisbee Plumbing & Heating	1511	Carlson	Street	Water Heater	\$400.00
12.	Trio Plumbing & Heating	602	Kennedy	Street	Move Kitchen Sink	\$300.00
13.	Trio Plumbing & Heating	1201	Morningside	Circle	Sump Pump	\$300.00
14.	Keith & Terrilyn Arends	206	North Whitney	Street	Water Heater	\$400.00
15.	Robert Carr	1715	Thunderbird	Road	Dwelling	\$0.00

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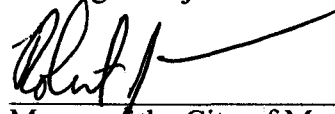
**DETERMINATION TO GO INTO CLOSED SESSION PURSUANT TO MINNESOTA
STATUTE 13D.05 SUBD. 3(C)(3) TO CONSIDER OFFER AT 102 WEST MAIN:**

Ritter moved, Sanow seconded, that the Council go into closed session at 9:05 P.M. pursuant to Minnesota Statute 13D.05 Subd 3(c)(3) to consider an offer on the property at 102 West Main. All voted in favor of the motion.

Those present at the closed session included: Byrnes, Hulsizer, Doom, Sanow, 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 9:17 P.M.

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



Mayor of the City of Marshall

ATTEST:



Financial Director/City Clerk