

## REGULAR MEETING – JULY 26, 2011

The regular meeting of the Common Council of the City of Marshall was held on July 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 President Pro-Tem Boedigheimer. In addition to Boedigheimer the following members were present: Hulsizer, Doom, Sanow, DeCramer and Ritter. Absent: Byrnes. Staff present included: Ben Martig, City Administrator; Glenn Olson, Director of Public Works/City Engineer; Ilya Gutman, Building Official; Thomas M. Meulebroeck, Finance Director/City Clerk; and Jane DeVries, Deputy City Clerk. Dennis Simpson, City Attorney arrived at 5:45 P.M.

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 6c, which is the consideration of an LG220 application for Exempt Permit for Avera Marshall Foundation.

### **APPROVAL OF MINUTES:**

Doom moved, Ritter seconded, that the minutes of the regular meeting held on July 12, 2011 and the minutes of the special meeting held on July 19, 2011 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 – REQUEST OF RICHARD DOOM TO MOVE DWELLING INTO RESIDENTIAL DISTRICT FROM 602 CHARLES AVENUE TO 305 BRUCE STREET:**

This was the date and time set for a public hearing on the request of Richard Doom to move a dwelling from 602 Charles Avenue to 305 South Bruce Street. Glenn Olson, Director of Public Works/City Engineer, indicated that this is a split-level, 1,252 S.F. dwelling with a 240 S.F. porch and was constructed in the mid-1950s. An Observation Report has been prepared by the Building Inspector and the dwelling was found to be of sound structure and appearance, and is in a reasonably good state of repair and fit for moving, and is reasonably susceptible to renovation in conformity with this City Code. This report will include final zoning review as well as any existing private covenants that may exist on the property.

Mr. Doom indicated that he has the original plans for this home. He also indicated that the home will be resided and any window that does not meet code will be replaced.

Mary Morgan, 303 South Bruce Street, indicated that the public hearing should have taken place before the hole was dug. Ms. Morgan indicated that she along with the neighbors have several concerns. The house being moved is more than 50 years old, which would have a negative effect on property values in the neighborhood where most of homes are around 20 years old or newer. They are concerned that the home could become rental property, that the house would not meet the standards of the neighborhood covenants and how the construction would affect drainage in the area. Ms. Morgan indicated that a previous home that was moved into the area is a rental.

Mr. Olson indicated that the original request to move the home was made in June. However, staff had an oversight on the code requirement for review to move to the residential district within the City. Therefore, the applicant was not notified of this additional procedure until July 7, 2011. The owner had planned to move the house and property on July 8, 2011. However, the permit to move on a city street had not been authorized so the moving should not have been arranged.

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Comments from the council included: putting together a time line; requiring the work to be completed in 12 months; requiring a certificate of occupancy being issued; will the home be shingled; and how the dirt will be removed from the area. Mr. Doom indicated that he will shingle if needed; the inside work will be completed after the outside work has been completed and he indicated that he will use the dirt for fill.

Mr. Doom indicated that he has a copy of the grading plan for the entire area if anyone would like to take a look at the drainage for the area.

Ritter moved, DeCramer seconded, that the request of Richard Doom to move a dwelling from 602 Charles Avenue to 305 South Bruce Street be tabled to later in the meeting to allow the residents who reside in the area of 305 South Bruce Street and who were in attendance at the meeting to review the grading plan. All voted in favor of the motion.

**PUBLIC HEARING – VACATION OF AN ALLEY SOUTH OF SUMMIT STREET – A. PUBLIC HEARING AND CONSIDER RESOLUTION GRANTING PETITION FOR VACATION OF AN ALLEY; B. CONSIDER THE REQUEST OF BRAD AND JILL ENGBRETSON FOR A VARIANCE ADJUSTMENT PERMIT:**

This was the date and time set for a public hearing to consider the vacation of an alley South of Summit Street and consider a Variance Adjustment Permit for Brad and Jill Engebretson, 206 Walnut Street. Glenn Olson, Director of Public Works/City Engineer, reviewed the request for petition for vacation of an alley on the south side of Summit Street, beginning at the west end of Summit Street at the southerly right of way line of Summit Street; thence southerly approximately 131 feet, was submitted from the sole owner(s) of all of the abutting properties of the section of street proposed to be vacated. It is also petitioned that the vacated alley be divided among the adjacent property owners to provide adequate setbacks for existing and proposed construction of garages adjacent to the vacation.

Glenn Olson, Director of Public Works/City Engineer, reviewed the request of Brad and Jill Engebretson for a Variance Adjustment Permit to construct a garage at a distance of 8 feet from the centerline of the alley in lieu of 15 feet as required by City Code. The owner wants to construct a new garage at the back of the lot tight against the property line which is 7.5 feet away from the centerline of the existing platted 15 foot wide alley. Currently, there is an existing garage sitting at that location; it is about to fall down and even the slab does not seem to be reusable. The new garage will include the footprint of the existing one but will be 3 feet wider.

Ritter moved, Sanow seconded, that the public hearing be closed. All voted in favor of the motion.

Doom moved, Sanow seconded, the adoption of RESOLUTION NUMBER 3620, SECOND SERIES and that the reading of the same be waived. Resolution Number 3620, Second Series is a resolution Granting a Petition for Vacation of an Alley in the City of Marshall. This resolution provides for the vacation of the alley on the south side of Summit Street, beginning at the west end of Summit Street at the southerly right of way line of Summit Street; thence southerly approximately 131 feet. The motion also provided for the vacated alley be divided among the adjacent property owners to provide adequate setbacks for existing and proposed construction of garages adjacent to the vacation. The city will retain the easement located in the alley. All voted in favor of the motion.

Doom moved, Ritter seconded, that Brad and Jill Engebretson be granted a Variance Adjustment Permit to construct a garage with a 10 foot front rear yard in lieu of 15 feet as required by City Code and

with the condition that the side yard of 5 feet be maintained. There was a brief discussion on the fee for the variance. All voted in favor of the motion.

**PUBLIC HEARING – PROJECT Y76 TRAVIS ROAD EXTENSION PROJECT (WATER PLANT ENTRANCE ROAD) – PUBLIC HEARING ON ASSESSMENT AND CONSIDER ADOPTING ASSESSMENT:**

This was the date and time set for a public hearing to consider the assessment for Travis Road Extension Project (Water Plant Entrance Road) Project Y76. Glenn Olson, Director of Public Works/City Engineer, indicated that this project involves the replacement of the bituminous roadway with a concrete roadway including base, fabric, gravel, and drainage facilities. Two projects were bid as one construction bid, Travis Road Extension (Water Plant Entrance Road) and the Texas Crossing for the overflow of the Redwood River Division Channel located in the Klein Addition on Prairieview Court. The low bidder was D & G Excavating, Inc., of Marshall, Minnesota, in the amount of \$271,728.97 including the base bid (concrete) for Travis Road in the amount of \$167,485.30 and the Klein Addition Texas Crossing in the amount of \$104,243.67. There are no assessments on the Klein Addition Texas Crossing Project with all costs funded by the Surface Water Management Utility Fund.

Council Member Hulsizer asked who provided the estimate for the Travis Road Extension (Water Plant Entrance Road). Mr. Olson indicated that the estimate was provided by city staff. Mr. Olson also indicated that the assessments are based on the cost of asphalt and that MMU will pay the difference in cost between asphalt and concrete.

DeCramer moved, Ritter seconded, that the public hearing be closed. All voted in favor of the motion.

DeCramer moved, Doom seconded, the adoption of RESOLUTION NUMBER 3621, SECOND SERIES and that the reading of the same be waived. Resolution Number 3621, Second Series is a resolution Adopting the Assessment for Travis Road Extension Project (Water Plant Entrance Road) Project Y76 setting the interest rate at 4% and the assessment being paid in equal annual installments extending over a period of 10 years. All voted in favor of the motion.

Sanow moved, Ritter seconded, that the request of Richard Doom to move a dwelling from 602 Charles Avenue to 305 South Bruce Street be removed from the table. All voted in favor of the motion.

Mary Ann Kor, 1106 Horizon Drive, indicated that their property will receive more surface water from 305 Bruce Street. She indicated that there is currently a fence located in the water way which blocks the drainage of water.

Mr. Olson indicated that building permits are not issued for fences, but they are to be located adjacent to the property line.

DeCramer moved, Ritter seconded, that the public hearing be closed. All voted in favor of the motion.

Doom moved, Ritter seconded, that the request of Richard Doom to move a dwelling from 602 Charles Avenue to 305 South Bruce Street be approved and that the project be completed with respect of the adjacent property owners. All voted in favor of the motion, except Sanow who voted no because of the age of the house.

**PUBLIC HEARING – ORDINANCE RURAL SERVICE DISTRICT – PUBLIC HEARING AND ADOPTION OF ORDINANCE:**

This was the date and time set for a public hearing establishing and amending previous rural and urban service districts for the City of Marshall. Ben Martig, City Administrator, indicated that in 1966 the Common Council for the City of Marshall divided the city into two separate taxing districts referred to as the “Rural Service District” (RSD) and the “Urban Service District” (USD) for the purpose of property taxes. The RSD consists of parcels of land which are non-platted, rural in character, and are not developed for commercial, industrial, or urban residential purposes and for these reasons, are not benefited to the same degree as other lands by municipal services financed by general taxation. In 2009, all provisions of the original ordinance and subsequent amendments were reviewed and updated. Adjustments to the RSD parcel list must be submitted to the County Auditor by August 1<sup>st</sup> of each year for taxes payable the following year. An amendment to the ordinance is statutorily required in order to place parcels of land meeting the criteria for inclusion into the RSD.

Doom moved, Sanow seconded, that the public hearing be closed. All voted in favor of the motion.

DeCramer moved, Sanow seconded, the adoption of ORDINANCE NUMBER 641, SECOND SERIES and that the reading of the same be waived. Ordinance Number 641, Second Series is an ordinance Amending Ordinance Number 612, Second Series Establishing and Amending Previous Rural and Urban Service Districts for the City of Marshall, Minnesota. The Summary Ordinance was also approved. All voted in favor of the motion.

**APPROVAL OF CONSENT AGENDA - A. LG220 APPLICATION FOR EXEMPT PERMIT FOR BUFFALO RIDGE GOBBLERS; B. APPROVAL BILLS/PROJECT PAYMENTS; C. LG220 APPLICATION FOR EXEMPT PERMIT FOR AVERA MARSHALL FOUNDATION:**

Council Member Hulsizer requested item 6b, which is to consider approval of bills/project payments, be removed from the consent agenda.

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

The approval of the Application for Exempt Permit – LG220 for the Buffalo Ridge Gobblers for a raffle to be held at the Prairie Event Center, 1507 East College Drive, Marshall, Minnesota on April 27, 2012 and that the 30 day waiting period be waived.

The approval of the Application for Exempt Permit – LG220 for Avera Marshall Foundation for a raffle to be held at the Marshall Country Club, 800 Country Club Drive, Marshall, Minnesota on September 12, 2011.

All voted in favor of the motion.

Council Member Hulsizer questioned the expenses as a result of the 7-1-11 storm. Mr. Martig indicated that staff is tracking expenses and the council will be provided a report at the next meeting. Ms. Hulsizer also asked what the payment to MR Sign Company was for. Mr. Meulebroeck indicated that this is the vendor that the city purchases sign supplies from.

Hulsizer moved, Sanow seconded, that the following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 75410 through 75594. All voted in favor of the motion.

**CONSIDER APPROVAL OF LIBRARY MOVING CONTRACT:**

Sanow moved, Hulsizer seconded, that consideration of the moving contract with BesterBros for the Marshall-Lyon County Library moving services be removed from the table and be awarded to Bester Bros. in the amount of \$19,720.00, which includes moving and setting up of books, shelving, materials and equipment. The moving agreement indicates that Bester Bros. will be responsible for moving all books, shelving, materials, equipment and supplies from the existing library to the newly constructed library. The City of Marshall will notify Bester Bros. upon completion of the newly constructed library and will set up a time for the move. It will take a total of four business days to complete the move and set up at the new library facility. All voted in favor of the motion.

**CONSIDER THE REQUEST OF ACMC FOR A CONDITIONAL USE PERMIT FOR A SIGN ON MARKET STREET RIGHT-OF-WAY:**

Glenn Olson, Director of Public Works/City Engineer, reviewed the request of ACMC to install an advertising sign within the Market Street right-of-way. The existing mall sign was located just 3 feet away from the property line on the west side of Market Street. This sign fell over due to the July 1, 2011 storm. The City is in the process of notifying the owner that they must remove the sign and if they intend to install that sign as a new one, they must receive approval to place in the location. The ACMC originally wanted to place its sign to the west of the existing sign meaning it had to fit into those three feet and be right underneath of the existing sign. After additional consideration that location was deemed not adequate and the owner now would like to install the sign on the east side of Market Street. In addition, to alleviate concerns about visibility at the intersection, the sign has been redesigned into a pylon sign.

Doom moved, DeCramer seconded, to approve the request of ACMC, a tenant of Market Street Mall at 1420 East College Drive, for a Conditional Use Permit, for an advertising sign on the right-of-way near the intersection with East College Drive, subject to the following conditions:

1. ACMC, as the owner of the sign, maintains the formally required certificate of insurance to hold the City harmless in the event of a liability claim. The owner shall provide the Zoning Administrator with a copy of the certificate.
2. The sign location must be maintained within the Market Street right-of-way area as described in the survey prepared by Bolton and Menk, Inc., dated June 24, 2011, and certified by Chris Ambourn. It shall not encroach into College Drive right-of-way.
3. This permit is for the sign structure as shown on the drawing presented to the Commission and on file with the Zoning Administrator.
4. The sign structure shall be maintained in a safe condition and all surfaces maintained without blemish or defects. The City may remove the sign if deemed necessary due to lack of maintenance with the cost to remove paid by the sign owner.

All voted in favor of the motion.

**APPROVAL OF TRANSIENT MERCHANT LICENSE:**

Ritter moved, DeCramer seconded, that the Transient Merchant License be approved for DZ Construction of MN LLC contingent upon review by the Police Department. This license will expire on December 31, 2011 and the fee for this license is \$315.00. It was indicated that they have signs posted around town. Vicky Schillinger, secretary for DZ Construction of MN LLC, indicated that she would remove them. All voted in favor of the motion, except Hulsizer and Sanow who voted no.

**REQUEST TO COOPERATE AND SIGN AGREEMENT TO ASSIST IN SALE OF PROPERTY REGARDING ACMC POTENTIAL PURCHASE OF PROPERTY:**

Dennis Simpson, City Attorney, indicated that there has been a negotiated sale of approximately 6.43 acre vacant parcel of property to ACMC. As part of that title work in anticipation of the sale, a 1989

development agreement between the City of Marshall and then developer Kenneth Karl was reviewed. The private development agreement obligated the developer to install roadways and to have private maintenance of those roadways. The present buyer has asked that the City of Marshall confirm that the development agreement would not impede or interfere with the potential future use of that property. Mr. Simpson indicated that he has amended the requested Waiver/Estoppel Certificate and has submitted that to the seller's attorney for review. The proposed agreement is required and Mr. Simpson believes it is in the best interest of the City of Marshall to cooperate with the proposed sale of this property so as to allow for future development of the 6.43 acre of property. It has been requested that additional documentation be provided from his office to the seller and buyer.

Ritter moved, Doom seconded, that the proper city personnel be authorized to enter into a Waiver/Estoppel Certificate for Development Agreement in favor of Affiliated Community Medical Centers, P.A. Boedigheimer indicated that he was not in favor of approving an agreement that he has not seen. All voted in favor of the motion, except Boedigheimer who voted no.

**CONSIDER THE REQUEST BY ANDREW DESAER FOR A VARIANCE ADJUSTMENT PERMIT:**

Glenn Olson, Director of Public Works/City Engineer, reviewed the request by Andrew DeSaer for a Variance Adjustment Permit to construct a garage at a distance of 7.5 feet from the rear property line in lieu of 15 feet as required by City Code. The garage area will be 896 square feet in lieu of 732 square feet allowed by City Code. The owner wants to construct a new 28 foot by 32 foot garage in lieu of the existing 14 foot by 22 foot garage. The existing garage is located 7.5 feet from the property line and the new garage will include the footprint of the existing one. Currently there is a 7.5 foot easement along the back of the lot.

Council Member Sanow asked why Mr. DeSaer wanted to build a large garage. Mr. DeSaer indicated that he wants room for two vehicles and to be able to store equipment.

Doom moved, Ritter seconded, to approve the request by Andrew DeSaer, 915 Pine Avenue, for a Variance Adjustment Permit to construct a garage at a distance of 10 feet from the rear property in lieu of 15 feet as required by City Code and that the garage area will be 896 square feet in lieu of 732 square feet. It was also indicated that the roof of the garage cannot be higher than the roof of the house. Council Member Sanow was concerned that Mr. DeSaer would need a conditional use permit for a home business. It was indicated that that would be a different issue. All voted in favor of the motion.

**CONSIDER THE REQUEST OF TRICIA (VERKINDEREN) JOHNS FOR A VARIANCE ADJUSTMENT PERMIT:**

Glenn Olson, Director of Public Works/City Engineer, reviewed the request of Tricia (Verkinderen) Johns for a Variance Adjustment Permit to construct a shed at a distance of 7.5 feet from the rear property line in lieu of 15 feet as required by City Code. The owner wants to construct a new 12 foot by 22 foot shed at the back of the property. Currently there is a 7.5 foot easement along the back of the lot.

Doom moved, Sanow seconded, to approve the request of Tricia (Verkinderen) Johns, 605 Lawrence Street, to construct a shed at a distance of 10 feet from the rear property line in lieu of 15 feet as required by City Code. All voted in favor of the motion.

President Pro-Tem Boedigheimer called for a 5-minute recess at 7:05 P.M.

**CONSIDER JOINT FUNDING AGREEMENT WITH USGS FOR RIVER GAGES:**

Glenn Olson, Director of Public Works/City Engineer, indicated that in 2010, the City of Marshall was notified that the Department of Natural Resources (DNR) would be discontinuing funding of the stream gage just west of the City of Marshall. The US Geological Survey (USGS) has previously operated this stream gage in conjunction with 50/50 funding with the DNR in the amount of \$7,935 local participation. A copy of the federal FY2010 Joint Funding Agreement was provided for reference. The USGS has since relocated and constructed a new gage at no cost to the local entities, but requires funding for 50% of the operational costs.

Mr. Olson indicated that this is an extremely important gage for not only flooding but several other informational issues, including the following items:

- 70 years of continuous streamflow record
- Unregulated flow record important for assessing trends
- Site is part of National Streamflow Information Program
- Gage data used in USGS water-quality studies
- Flood forecasting and warning
- Water-quality & aquatic life assessments
- Wastewater permits tied to streamflows

The USGS has estimated that the operational cost for federal FY2011-FY2015 to be \$41,120. The City of Marshall will be the local project sponsor of the 50% match of this gage (approximately \$8,200). The USGS has relocated and constructed a new gage at no cost to the local entities, but requires funding for 50% of the operational costs.

In 2010, the City of Marshall sought interest and funding participation from various agencies regarding keeping this stream gage operational, including Archer Daniels Midland Company, Redwood-Cottonwood Rivers Control Area (RCRCA), Minnesota DNR, Lyon County Emergency Management, Lyon County Soil & Water Conservation, National Weather Service and the US Army Corps of Engineers. At that time, all entities that the City requested participation from denied participation at this time, except ADM, who participated in 50% of the \$7,935 federal FY2010 amount. City staff will pursue requesting funding from all entities for this federal FY2011-FY2015 agreement.

Sanow moved, Ritter seconded, the proper city personnel be authorized to enter into a Joint Funding Agreement with US Geological Survey (USGS) for the Redwood River Gaging Station near Marshall, Minnesota, for federal FY2011-FY2015 in the amount of \$41,140 for the five-year agreement period. ADM will pay the City of Marshall for 50% of these costs. All voted in favor of the motion.

**PROJECT Y98 NORTH INDUSTRIAL PARK IMPROVEMENT PROJECT – CONSIDER RESOLUTION ORDERING PREPARATION OF REPORT ON IMPROVEMENT:**

Glenn Olson, Director of Public Works/City Engineer, indicated that the proposed North Industrial Park will include the development of 145 acres of agricultural land owned by the City of Marshall Housing & Redevelopment Authority. Improvements are proposed to include the extension of Michigan Road west to 240<sup>th</sup> Avenue which is currently a township road on the border of the city limits. Two additional roads will be constructed between Michigan Road and Erie Road (Co. Rd. 33). A 16" watermain will be extended along T.H.68 northwest to 240<sup>th</sup> Avenue and then north to Erie Road and then loop back east to the existing watermain on Erie Road near the MERIT Center. The full "build out" of the project proposes to extend sanitary sewer and watermains along Michigan Road and both of the proposed north/south connecting roads between Michigan Road and Erie Road. A site grading plan will need to be developed for the proposed Industrial Park including storm sewer and stormwater ponds.

This concept would include a full "shovel ready" build out of the site. However, dependent on prospective development the infrastructure investment would be proposed to be phased in over time. The

Economic Development Authority staff is currently working on a potential development in the Northwest corner of the site. This is an example that, if this would transpire, staff would be recommending to extend utilities along the proposed roadway along Michigan Road but not complete the surfacing. Access drives to the site could be extended from County Road 33. Completion of this report is critical in evaluating potential development costs for prospective development. Additionally, the report would be beneficial in applications for grant funding such as the Greater Minnesota Business Infrastructure grant program. The City was funded at \$500,000 through this program for the Lake Road expansion currently underway and an additional \$4 million has been appropriated to this program this legislative session. The earliest any public infrastructure would be planned for construction on this site would be 2012.

Cal Brink, Marshall Area Chamber of Commerce, was in attendance at the meeting and indicated the importance of the City of Marshall having full “shovel ready” sites available for prospective businesses.

Doom moved, Ritter seconded, the adoption of RESOLUTION NUMBER 3622, SECOND SERIES and that the reading of the same be waived. Resolution Number 3622, Second Series is a resolution Ordering Preparation of Report on Improvement for North Industrial Park Improvement Project Y98. All voted in favor of the motion.

**PROJECT Y88 – DONITA AVENUE RECONSTRUCTION PROJECT – A. RESOLUTION DECLARING COST TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT; B. RESOLUTION CALLING FOR HEARING ON PROPOSED ASSESSMENT:**

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

DeCramer moved, Doom seconded, the adoption of RESOLUTION NUMBER 3623, SECOND SERIES and that the reading of the same be waived. Resolution Number 3623, Second Series is a resolution Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessment for Donita Avenue Reconstruction Project Y88. This resolution provides for the assessment to be paid over a 10 year period at an interest rate of 4%. All voted in favor of the motion, except Sanow who voted no.

DeCramer moved, Ritter seconded, the adoption of RESOLUTION NUMBER 3624, SECOND SERIES and that the reading of the same be waived. Resolution Number 3624, Second Series is a resolution Calling for a Hearing on the Proposed Assessment for Donita Avenue Reconstruction Project Y88. This public hearing will be held at 5:30 P.M. on August 23, 2011. All voted in favor of the motion.

**PROJECT Y73 – PEARL AVENUE RECONSTRUCTION PROJECT – A. RESOLUTION DECLARING COST TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT; B. RESOLUTION CALLING FOR HEARING ON PROPOSED ASSESSMENT:**

Glenn Olson, Director of Public Works/City Engineer, reviewed the Pearl Avenue Reconstruction Project Y73. This project involves the replacement of watermain, minor sanitary sewer replacement, storm sewer installation and street reconstruction. The proposed project will reconstruct Pearl Avenue and described utilities southerly from Country Club Drive.

Doom moved, Ritter seconded, the adoption of RESOLUTION NUMBER 3625, SECOND SERIES and that the reading of the same be waived. Resolution Number 3625, Second Series is a resolution Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessment for Pearl

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Avenue Reconstruction Project Y73. This resolution provides for the assessment to be paid over a 10 year period at an interest rate of 4%. All voted in favor of the motion.

Doom moved, Ritter seconded, the adoption of RESOLUTION NUMBER 3626, SECOND SERIES and that the reading of the same be waived. Resolution Number 3626, Second Series is a resolution Calling for a Hearing on the Proposed Assessment for Pearl Avenue Reconstruction Project Y73. All voted in favor of the motion.

**PROJECT Y90 – SARA CIRCLE RECONSTRUCTION PROJECT – A. RESOLUTION DECLARING COST TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT; B. RESOLUTION CALLING FOR HEARING ON PROPOSED ASSESSMENT:**

Glenn Olson, Director of Public Works/City Engineer, reviewed the Sara Circle Reconstruction Project Y90. This project involves the extension of watermain, replacement of sanitary sewer, and street reconstruction. The proposed project will reconstruct Sara Circle and described utilities north of and including the Elaine Avenue intersection.

DeCramer moved, Ritter seconded, the adoption of RESOLUTION NUMBER 3627, SECOND SERIES and that the reading of the same be waived. Resolution Number 3627, Second Series is a resolution Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessment for Sara Circle Reconstruction Project Y90. This resolution provides for the assessment to be paid over a 10 year period at an interest rate of 4%. All voted in favor of the motion.

Ritter moved, Doom seconded, the adoption of RESOLUTION NUMBER 3628, SECOND SERIES and that the reading of the same be waived. Resolution Number 3628, Second Series is a resolution Calling for a Hearing on the Proposed Assessment for Sara Circle Reconstruction Project Y90. All voted in favor of the motion.

**PROJECT Y89 – ELM STREET RECONSTRUCTION PROJECT – A. DECLARING COST TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT; B. RESOLUTION CALLING FOR HEARING ON PROPOSED ASSESSMENT:**

Glenn Olson, Director of Public Works/City Engineer, reviewed the Elm Street Reconstruction Project Y89. This project involves the replacement of watermain, storm sewer, sanitary sewer and street reconstruction on Elm Street and watermain replacement in the alleys in Block 2 and Block 3 of Fremar Addition from Elm Street to Kossuth Avenue.

Doom moved, Hulsizer seconded, the adoption of RESOLUTION NUMBER 3629, SECOND SERIES and that the reading of the same be waived. Resolution Number 3629, Second Series is a resolution Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessment for Elm Street Reconstruction Project Y89. This resolution provides for the assessment to be paid over a 10 year period at an interest rate of 4%. All voted in favor of the motion except Sanow who voted no

Ritter moved, Doom seconded, the adoption of RESOLUTION NUMBER 3630, SECOND SERIES and that the reading of the same be waived. Resolution Number 3630, Second Series is a resolution Calling for a Hearing on the Proposed Assessment for Elm, Street Reconstruction Project Y89. All voted in favor of the motion except Sanow who voted no.

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**COUNCIL MEMBER COMMISSION/BOARD LIAISON REPORTS:**

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

Hulsizer No report.

Doom No report.

Sanow No report.

DeCramer Utilities Commission provided a recap of the July 1, 2011 storm damage.

Boedigheimer No report.

Ritter No report.

**STAFF REPORTS:**

Ben Martig, City Administrator, indicated that staff has started working on the 2012 budget. There will be a Ways and Means Committee meeting next week to discuss the bonding for 2011 and there will be a Legislative and Ordinance Committee meeting next week. The council will be provided an update of the storm damage and costs at the next regular city council meeting.

Glenn Olson, Director of Public Works/City Engineer, indicated that the beams will be set on Friday on the Madrid Street Bridge.

Dennis Simpson, City Attorney, did not have a report.

**COUNCIL MEMBER INDIVIDUAL ITEMS:**

Other items brought forth by the Council Members included: Friday, July 22, 2011 the City dedicated a portion of the city trail system running along Country Club Drive as the Molly Linstrom Memorial Trail. Sanow indicated that they need to discuss the storing of equipment in residential areas.

**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.	Garry Mercer	302	Hudson	Avenue	Replace Windows	\$5,800
2.	Thomas Nelson	507	Pleasant	Street	Reroof Partial (asphalt) 6:12	\$1,500
3.	Pankonen McCord	805	Lawrence	Court	Reroof (asphalt) 6:12	\$14,000
4.	Renee Percy	1004	Poplar	Avenue	Reroof (asphalt) 4:12	\$5,400
5.	Cindy Sharbono	1235	Patricia	Court	Reroof (asphalt) 5:12	\$8,000
6.	Douglas Hamilton	1403	Ridgeway	Road	Pergola	\$2,000
7.	Dean & Pamela Coudron	627	West	Southview Drive	Reroof (asphalt) 4:12	\$5,400
8.	Darwin Madden	200	Jewett	Street	Reroof (asphalt) 4:12	\$6,900

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9.	Karen & Darin Jensen	218		Oslo	Avenue	Reroof (asphalt), Partial Siding (vinyl), Patio door, Window	\$15,700
10.	Randy Wartner	1216		Westwood	Drive	Deck	\$10,000
11.	Jeffrey Yorde	313		Lawerence	Street	Reroof (asphalt) 4:12, Siding repair (vinyl)	\$4,500
12.	Quinn Horvath	102	East	Thomas	Avenue	Reroof (asphalt) 6:12	\$11,000
13.	David Dibbern	606		Kendall	Street	Reroof (asphalt) 8:12, Reside (vinyl)	\$10,000
14.	Francis Albitz	605	West	Lyon	Street	Reroof (asphalt)	\$10,500
15.	Viessman Family LMT Partnership	800	West	Erie	Road	Fence	\$17,800
16.	Lois Jones	308		Legion Field	Road	Garage Remodel	\$3,000
17.	Dana Larsen	905		Colombine	Drive	Reroof (asphalt)	\$8,000
18.	Turkey Valley Farms LLC	112	South	6th	Street	Demo Coolers	\$61,600
19.	Anthony Larsen	500		Kathryn	Avenue	Reroof (asphalt) 4:12	\$3,000
20.	Patrick Coequyt	502	South	1st	Street	Install Window	\$500
21.	Helena Chemical Company	1403	West	College	Drive	Wind Damage Repair	\$10,000
22.	Robert J. Tholen	108	South	11th	Street	Siding, Reroof, Replace Windows	\$4,000
23.	Nathan & Jennifer Kremer	414	South	2nd	Street	Reroof (asphalt) 5:12	\$4,700
24.	Richard & Karen Bartz	1305		Greenview	Place	Reroof (asphalt) 5:12	\$6,100
25.	John & Mary Juel	623		Kathryn	Avenue	Rebuild Foundation	\$5,200
26.	Cory Ormberg	221		Rainbow	Drive	Reroof (asphalt) 4:12, Reside (vinyl), interior remodel, Door, Insulate attic, Overhead door	\$25,000
27.	Bot Properties, LLC	702		Elaine	Avenue	Reroof (asphalt) 4:12	\$6,000
28.	Loretta Hammond	700	West	College	Drive	Reroof (asphalt) 4:12	\$8,000
29.	Michael Beranek	303		Brussels	Court	Reroof (asphalt) 6:12	\$9,400
30.	Alfred & Rhonda Lee	415		Genesis	Avenue	Reroof (asphalt) 4:12	\$5,500
31.	Denise Kuiper	300		Elaine	Avenue	Reroof (asphalt) 5:12	\$8,500
32.	Steve Versluys	1428		Floyd Wild	Drive	Reroof Garage (Ashaplt) 4:12	\$1,500
33.	Nathan Brandt	209		London	Road	Reroof (asphalt) 4:12, Reside (vinyl), Overhead Garage Door, Door, Windows	\$12,700
34.	John Bunge	112	South	10th	Street	Reroof shop (asphalt)	\$4,500
35.	Ronald Mckenzie	605	South	Bruce	Street	Deck	\$500
36.	Betty, Benton, Sheldon, Johnson	417	West	College	Drive	Reroof Garage (asphalt)	\$2,500
37.	Tanya S Tondre	1104		Jefferson	Avenue	Deck	\$2,500
38.	Karl Porisch	503	West	Southview	Drive	Reroof (asphalt) 3:12	\$7,800
39.	Elizabeth DeVos	512	East	Main	Street	Replace Windows	\$900
40.	William Wood	400	South	1st	Street	Partical Reside (wood), Windows, Deck	\$1,700
41.	Gary Peterson	103		Southview	Drive	Reroof (asphalt) 4:12	\$9,800
42.	Mark Jacobs	1110		Willow	Lane	Reroof (asphalt) 3:12	\$5,000
43.	David Voigt	201		London	Road	Reroof (asphalt) 4:12, Reside (vinyl)	\$19,000
44.	Donald Wyffels	1205	East	Lyon	Street	Replace Garage Door	\$2,400
45.	Marshall Pizza Partners LLC	1420		Boyer	Drive	Sign	\$20,200

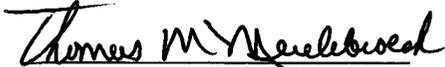
REGULAR MEETING – JULY 26, 2011

46.	City of Marshall	1004	Michigan	Road	Wind Tower - Phase I Foundation	\$41,400
47.	Scott & Hillary McKeever	406 West	Marshall	Street	Reroof and Partial Reside of Garage	\$2,8

Doom moved, Sanow seconded, that the meeting be adjourned at 7:40 P.M. All voted in favor of the motion.

  
President Pro-Tem

ATTEST:

  
Financial Director/City Clerk