

SPECIAL MEETING – SEPTEMBER 6, 2011

The special meeting of the Common Council of the City of Marshall was held on September 6, 2011 in the Board Room at Marshall Municipal Utilities, 113 South 4th Street. The meeting was called to order at 5:34 P.M. by Mayor Byrnes. In addition to Byrnes the following members were present: Hulsizer, Sanow and Ritter. Absent: Doom, DeCramer and Boedigheimer. Staff present included: Ben Martig, City Administrator; Dennis Simpson, City Attorney; Harry Weilage, Director of Community Services; and Thomas M. Meulebroeck, Finance Director/City Clerk. Glenn Olson, Director of Public Works/City Engineer arrived late.

CONSIDER ACCEPTANCE OF FAA GRANT AGREEMENT FOR DEVELOPMENT OF EAST BUILDING AREA (PHASE I) AND ACQUISITION OF SNOW REMOVAL EQUIPMENT:

Ben Martig, City Administrator, indicated that at the June 14, 2011 meeting, the City Council authorized entering into a professional services agreement with TKDA for design phase services for Airpark East in the amount of \$210,000. This includes previous planning efforts, near term roadway & utility design, and preliminary design for the build-out of the airfield & Airport Industrial Park. The first phase of the Airpark East construction is anticipated at 70% MnDOT / 30% local funding this September.

Mr. Martig indicated that a used Oshkosh Bat Wing Plow is available from the Metropolitan Airport Commission (MAC) at a bargain price of \$81,000 versus \$400,000. The City has previously purchased used equipment utilizing this same process and have had very good luck with used equipment acquired from the MAC. Staff believes the useful life of this used equipment is greater than 10 years. The current used plow has lasted 25 years and is still operational. The truck the City is requesting to purchase is 15 years old, so it stands to reason that the Oshkosh truck will last for another 10 years. Glenn Olson, Director of Public Works/City Engineer, indicated that they have not made a decision as to what they will do with the current similar equipment the City has.

Both the Bat Wing Plow and the Airpark East design services were included in the grant application to be provided to FAA at funding participation of 95% federal / 5% local.

Sanow moved, Ritter seconded, the acceptance of FAA Grant Agreement for Professional Services for Design Phase Services for Marshall Airpark East (Phase I) and Acquisition of Snow Removal Equipment with funding participation of 95% federal (\$276,450) / 5% local (\$14,550) and that the proper city personnel be authorized to execute the agreement. All voted in favor of the motion.

REVIEW MARSHALL-LYON COUNTY LIBRARY PROJECT – CHANGE ORDER NO. BP#3-1:

Ben Martig, City Administrator, indicated that as a follow up to the presentation and discussion at the August 23, 2011 City Council meeting, staff is recommending Council Members Sanow, Doom, Hulsizer or Boedigheimer “call up” discussion to reconsider Library project change Order No. BP #3-1. This does not require a formal vote only verbal action by one member. If there is an agreement to “call up” for reconsideration, staff recommends a motion to approve the Library Project Change Order No. BP #3-1.

Mr. Martig indicated that this agenda item is for discussion only unless a member voting for the approved motion to deny at the last meeting “calls up” the previous question. In this case, a new vote may be taken to reconsider.

Mr. Martig indicated that at the last meeting, staff presented change order No. BP#3-1 that included shelving with MINNCOR for the new library. TSP had informed staff that the shelving was listed as one of the items in the spec's but MINNCOR Industries left out the periodical shelving units

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for the Library. TSP indicated that after catching this mistake, they asked MINNCOR and Office Elements to provide a quote on the periodical shelving. Office Elements quote was \$5,624 and MINNCOR's quote was \$3,221. So MINNCOR was the lowest quote. Following discussion regarding the issue the Council passed a motion to deny the request upon a motion by Boedigheimer and second by Doom (voting in favor Boedigheimer, Doom, Hulsizer and Sanow and voting in opposition were Byrnes, Ritter and DeCramer). Staff believes – based on council policy discussion at the last meeting – that the primary reason for denial was due to testimony from TSP at the meeting that MINNCOR simply made an error on their bid and was included as a larger total bid package.

City Administrator Martig and Public Works Director, Olson, followed up on the research of the process and documentation following the Council action. In speaking with MINNCOR, they indicated that they knew that the item was not bid as they felt they could not meet the exact specifications and therefore they did not submit a bid. Mr. Martig provided a copy of the bid submittal confirming MINNCOR's verbal comments in that the bid package summary on page 2-6 which indicated that their bid "applies to MINNCOR Items Only" and on the detailed page package on page 2-8 (highlighted in yellow) is blank and not specifically bid.

Mr. Martig indicated that upon review, it is staff's interpretation that when Council awarded bid package number 3 originally, they accepted the bid as submitted including the omitted piece of furniture. Therefore, the City cannot require MINNCOR to submit the furniture item #27 that was denied in the change order last meeting. As a reminder, MINNCOR was the only company that bid on this package.

As discussed last meeting, TSP made a verbal request after the original bids were submitted for similar type equipment to MINNCOR and to Office Elements as the original periodical was not bid. Due to the estimated price, this procedure is within the guidelines of the city purchasing policy. MINNCOR's quote was \$3,221. TSP indicated Office Elements submitted a quote of \$5,624.

Mr. Martig indicated that he has reviewed the issue with the Library Director Holly Martin Huffman and she indicated that the equipment was originally intended to be purchased and is within the equipment budget submitted. Therefore, she is supportive of the Council to reconsider the denial and to authorize purchase of the similar periodical shelving as submitted by MINNCOR.

Mr. Martig indicated that if no action is taken the periodical will not be acquired but also MINNCOR will not be required to submit it with their other package. The library would need to relocate an existing piece of equipment to meet the needs. The Library Director has indicated that this would be a substandard alternative and not part of the equipment determined reusable with the furniture plan.

Sanow moved, Ritter seconded, to reconsider Marshall-Lyon County Library Project Change Order No. BP #3-1. All voted in favor of the motion.

Sanow moved, Hulsizer seconded, the approval of the Marshall-Lyon County Library Project Change Order No. BP #3-1 with MINNCOR in the amount of \$3,221.00 for periodical shelving. All voted in favor of the motion.

REVIEW OF DRAFT PRELIMINARY LEVY RESOLUTIONS:

Ben Martig, City Administrator, briefly reviewed the three options for the Preliminary Levy for 2012. The total preliminary levy's reviewed were Option "A" for \$5,102,110; Option "B" for \$4,806,667 and Option "C" for \$4,913,970. Following the review of the options, it was the general

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consensus of the City Council that all three options be presented at the September 13, 2011 City Council meeting for the full council review.

REVIEW COMMUNITY SERVICES BUDGET:

Harry Weilage, Director of Community Services, provided a review of the proposed Community Services Budget for 2012. Mr. Weilage indicated that there was not much change in the expenditures being requested for 2012 for Park Maintenance, Community Services Administration, Municipal Bank, Ice Arena, Youth Activities, Community Ed and Recreation Department; therefore Harry primarily addressed capital expenditures including commitments to R. L. Carr for the development of Windstar Park, tarring the parking lot at Independence Park, restrooms in Independence Park and Windstar Park and some tree replacements due to the 7-1-11 storm. It was also suggested to consider grants for the replacement of life guard chairs at the Aquatic Center.

Jason Banks, a member of the My Marshall Program, was in attendance at the meeting along with Suhail Kamwar, Lyon County Director of Public Works to discuss the development of Bike Trails between the City of Marshall and Camden Park. Jason expressed appreciation to the City for the current bike paths and the street marking for bicyclists. The funding for the trail included the potential for grants as well as some commitment from the City's of Marshall and Lynd and Lyon County. The estimate cost of the project is \$1,500,000. It was the general consensus of the City Council that the proper personnel be authorized to submit grant applications for the funding of the Bike Trails.

REVIEW PUBLIC WORKS BUDGET:

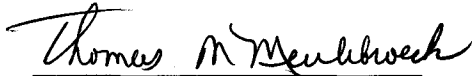
Glenn Olson, Director of Public Works/City Engineer, provided a review of the proposed Public Works Budget for 2012. Mr. Olson reviewed the proposed 2012 expenditure budgets for the Municipal Building, Engineering, Building Inspection/Zoning, Street Administration, Airport and Public Ways. There was very little change in the operating expenses of these budgets; therefore most of Glenn's discussion was based on the capital expenditure requests for 2012. There was \$30,000 included in the Municipal Building – Consultant Fees to perform a study on the Municipal Building.

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



Mayor of the City of Marshall

ATTEST:



Finance Director/City Clerk