

REGULAR MEETING – MARCH 27, 2012

The regular meeting of the Common Council of the City of Marshall was held on March 27, 2012 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; Marc Klaith, Fire Chief; Kim Jergenson, Engineer Technician; Shane Waterman, Assistant City Engineer; Ilya Gutman, Building Official; Preston Stensrud, Parks Supervisor; Dean Coudron, Street Superintendent; Thomas M. Meulebroeck, Finance Director/City Clerk; and Jane DeVries, Deputy City Clerk.

The Pledge of Allegiance was recited at this time.

APPROVAL OF THE AGENDA:

It was the general consensus of the council that the agenda be approved with the addition of item 15a, which is to consider an amendment to the farm lease with Paul and Fran Deutz, Inc.; that an amended resolution for a Utility Easement be provided for item 15. Mayor Byrnes indicated that there needs to be a procedural change, which will remove item 4 from the agenda.

Sanow moved, Ritter seconded, that item 4, which is to reconsider Resolutions Deleting Adopted and Deferred Special Assessments be added to the agenda. All voted in favor the motion.

APPROVAL OF THE MINUTES:

Sanow moved, Doom seconded, that the minutes of the regular meeting held on March 13, 2012 be approved as corrected and that the reading of the same be waived. All voted in favor of the motion.

AWARD OF BIDS:

Bids were received, opened and read on March 20, 2012 for Public Works Equipment. The bids, received, opened and read included:

One (1) 2012 4-wheel drive compact tractor with cab, loader, snow blower and mower for the Airport Department:

Schuneman Equipment
Marshall, Minnesota
\$68,400.00

Kesteloot Enterprises Inc.
Marshall, Minnesota
\$73,218.75

One (1) 2012 4-wheel drive 72" commercial mower for the Airport Department:

Schuneman Equipment
Marshall, Minnesota
\$24,848.44

Kesteloot Enterprises Inc.
Marshall, Minnesota
\$29,926.50

Sanow moved, DeCramer seconded, the adoption of RESOLUTION NUMBER 3719, SECOND SERIES and that the reading of the same be waived. This resolution provides Authorization to Execute Minnesota Department of Transportation Grant Agreement for Airport Improvement Excluding Land Acquisition for a 4-Wheel Drive Compact Tractor with Cab, Loader, Snow Blower & Mower and a 4-Wheel Drive 72-inch Commercial Mower for the Southwest Minnesota Regional Airport. All voted in favor of the motion.

Sanow moved, Boedigheimer seconded, the bid for a 2012 4-Wheel Drive Compact Tractor with Cab, Loader, Snow Blower and Mower for the Southwest Minnesota Regional Airport be awarded to Schuneman Equipment, Marshall, Minnesota, in the amount of \$68,400.00. All voted in favor of the motion, except Doom who abstained.

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DeCramer moved, Sanow seconded, the bid for a for a 2012 4-Wheel Drive 72-Inch Commercial Mower for the Southwest Minnesota Regional Airport be awarded to Schuneman Equipment, Marshall, Minnesota, in the amount of \$24,848.44. All voted in favor of the motion, except Doom who abstained.

One (1) new or current model ½ ton 2-wheel drive extended cab short box pick-up truck for the Engineering Department:

Dodge of Burnsville (state bid)	Midway Ford (state bid)
Burnsville, Minnesota	Roseville, Minnesota
\$20,410.00 for 2-wheel drive	\$21,483.88 for 2-wheel drive
\$22,294.00 for 4-wheel drive	\$24,613.88 for 4-wheel drive

Glenn Olson, Director of Public Works/City Engineer, indicated that the Equipment Review is recommending the purchase of a 2-wheel drive vehicle; but staff is recommending the purchase of a 4-wheel drive vehicle.

Ritter moved, Boedigheimer seconded, the bid for a 2012 2-Wheel Drive Extended Cab Short Box Pick-up Truck for the Engineer Department be awarded to Dodge of Burnsville, Burnsville, Minnesota in the amount of \$20,410.00. Voting in favor of the motion were: Ritter, Boedigheimer and DeCramer. Voting no were: Byrnes, Doom, Sanow and Hulsizer. The motion failed.

Sanow moved, Doom seconded, the bid for a 2012 4-Wheel Drive Extended Cab Short Box Pick-up Truck for the Engineer Department be awarded to Dodge of Burnsville, Burnsville, Minnesota in the amount of \$22,294.00 including tax and one extra set of keys with no trade-in. Voting in favor of the motion were: Sanow, Doom, Byrnes and Hulsizer. Voting no were: Ritter, Boedigheimer and DeCramer.

One (1) 2012 4-wheel drive 72" commercial mower for the Parks Department:

Schuneman Equipment	Kesteloot Enterprises, Inc.
Marshall, Minnesota	Marshall, Minnesota
\$27,911.98	\$29,926.50
\$19,985.63 with trade-in	\$25,134.00 with trade-in

DeCramer moved, Sanow seconded, the bid for a 2012 4-Wheel Drive 72" Commercial Mower for the Parks Department be awarded to Schuneman Equipment, Marshall, Minnesota in the amount of \$19,985.63, including tax and trade-in of two mowers. All voted in favor of the motion, except Doom who abstained.

One (1) 2012 4-wheel drive compact tractor for the Parks Department:

Swede's Service Center	Kesteloot Enterprises, Inc.	Schuneman Equipment
Minneota, Minnesota	Marshall, Minnesota	Marshall, Minnesota
\$28,041.82	\$29,287.50	\$32,396.40
\$23,249.32 with trade-in	\$24,388.50 with trade-in	\$24,848.44 with trade-in

DeCramer moved, Sanow seconded, the bid for a 2012 4-Wheel Drive Compact Tractor for the Parks Department be awarded to Swede's Service Center, Minneota, Minnesota in the amount of \$23,249.32, including tax and trade-in of a mower with cab and snow blower. All voted in favor of the motion, except Doom who abstained.

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One (1) 2012 ¾ ton 4-wheel drive regular cab and 8' box pick-up for the Parks Department:

Dodge of Burnsville (state bid)

Burnsville, Minnesota

Dodge

\$25,469.48

\$24,969.48 with trade-in

Midway Ford (state bid)

Roseville, Minnesota

Ford

\$25,629.26

\$25,131.21 with trade-in

Lockwood Motors

Marshall, Minnesota

Dodge

\$25,574.91

\$25,274.91 with trade-in

Lockwood Motors

Marshall, Minnesota

Chevy

\$25,666.50

\$25,366.50 with trade-in

Kruse Motors

Marshall, Minnesota

GMC

\$28,882.00

\$28,029.00 with trade-in

Kruse Motors

Marshall, Minnesota

Ford

\$32,037.00

\$31,237.00 with trade-in

Kruse Motors

Marshall, Minnesota

Ford

\$34,397.00

\$33,597.00 with trade-in

Ritter moved, Sanow seconded, the bid for a 2012 ¾ Ton 4-Wheel Drive Regular Cab and 8' Box Pick-up for the Parks Department be awarded to Dodge of Burnsville, Burnsville, Minnesota in the amount of \$25,469.48 including tax with no trade-in. All voted in favor of the motion.

Heavy duty 4-wheel drive articulating wheel loader with snow plow and wing for the Street Department:

Titan (new)

Marshall, Minnesota

Titan (25 hours)

Marshall, Minnesota

Base bid

\$220,379.00

\$220,351.00

6.875% tax

15,151.05

15,149.13

Total base with tax

235,530.05

235,500.13

Options

\$12,050.00

\$12,050.00

6.875% tax on options

828.44

828.44

Total options with tax

12,878.44

12,878.44

Warranty

\$5,127.00

\$5,127.00

Total

\$253,535.49

\$253,505.27

Buy-Back

NA

NA

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	RDO (new) Marshall, Minnesota	RDO (40 hours) Marshall, Minnesota	Ziegler (20 hours) Marshall, Minnesota
Base bid	\$225,803.00	\$227,803.00	\$266,450.00
6.875% tax	<u>15,523.96</u>	<u>15,661.46</u>	<u>18,318.43</u>
Total base with tax	241,326.96	243,464.46	284,768.43
Options	\$8,200.00	\$8,200.00	\$15,300.00
6.875% tax on options	<u>563.75</u>	<u>563.75</u>	<u>1,051.88</u>
Total options with tax	8,763.75	8,763.75	16,351.88
Warranty	<u>2,098.00</u>	<u>2,098.00</u>	<u>2,160.00</u>
Total	\$252,188.71	\$254,326.21	\$303,280.31
Buy-Back	\$143,900.00	\$145,700.00	\$145,000.00 (\$2,500 hour max)

Sanow moved, Ritter seconded, the bid for a Heavy Duty 4-Wheel Drive Articulating Wheel Loader with Snow Plow and Wing for the Street Department be awarded to RDO Equipment, Marshall, Minnesota in the amount of \$254,326.21 including tax, warranty without tax, and five-year buy-back for \$145,700.00 and the additional cost to be utilized from General Fund Capital Equipment Reserve. This loader has 40 hours of use recorded on it. All voted in favor of the motion.

APPROVAL OF CONSENT AGENDA – A. DECLARE VEHICLES AS SURPLUS PROPERTY FOR THE POLICE DEPARTMENT; B. DECLARE BICYCLES AS SURPLUS PROPERTY FOR THE POLICE DEPARTMENT; C. CONSIDER RESOLUTION DECLARING THE SOUNDS OF SUMMER AS A COMMUNITY FESTIVAL; D. APPROVAL OF BILLS/PROJECT PAYMENTS:

Council Member Hulsizer requested to remove item d, which is approval of bills/project payments, from the consent agenda.

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

Authorization be granted to the Department of Public Safety to dispose of surplus City property – seven (7) vehicles. These vehicles will be auctioned using the State's On-Line auction process. Those vehicles that don't receive the minimum bid will be taken to Alter Metal Recycling for disposal.

Authorization be granted to the Department of Public Safety to declare two (2) bicycles as surplus property. These bicycles will be used as prizes for the Bike Rodeo to be held in May, 2012.

The adoption of RESOLUTION NUMBER 3720, SECOND SERIES and that the reading of the same be waived. This resolution provides Authorization to Declare Sounds of Summer as a Community Festival. The Sounds of Summer is scheduled for Thursday, August 16, 2012 through Sunday, August 19, 2012. This provides an option for a holder of a retail intoxicating liquor license to apply for a Special Event Permit which would allow them to serve intoxicating liquor off their premises.

All voted in favor of the motion.

Council Member Hulsizer indicated that the City Council does not approve the Library bills and they should only be included as information.

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Hulsizer moved, Doom seconded, that the following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 74787 through 78849. All voted in favor of the motion.

RECONSIDER RESOLUTIONS DELETING ADOPTED AND DEFERRED SPECIAL ASSESSMENTS – A. RESOLUTION DELETING DEFERRED SPECIAL ASSESSMENT #3468 AND #3469 FOR MARJON LIMITED PARTNERSHIP; B. RESOLUTION DELETING DEFERRED SPECIAL ASSESSMENT #3500 FOR DOOM TRUST:

Sanow moved, Doom seconded, to reconsider Resolutions Deleting Adopted and Deferred Special Assessments for MarJon Limited Partnership and Doom Trust. All voted in favor of the motion, except Hulsizer who voted no.

Ben Martig, City Administrator, indicated that the City of Marshall adopted resolutions concerning deferred special assessments for the improvements of utilities and roadways on Windstar Street and Clarice Avenue adjacent to some properties located outside of the city limits. Two property owners filed protest and perfected their protest for these deferred assessments during the assessment process. Upon review and court direction the deferred assessments for properties that have had their assessments protest perfected, it is recommended that these deferred assessments be deleted. If, in the future, these properties are annexed into the city limits and receive benefit by connection to either the streets or utilities, the City will proceed with the assessment process for these improvements to the benefiting properties.

Mr. Simpson indicated that the City of Marshall believed that there was no current obligation owed and that the special assessment was not a lien against the property. However, the property owner believed that the original special assessment, although deferred, still represented a lien against the property. There remains a procedure under Minn. Stat. §429.051, to levy a special assessment against that property at some future time. The City is not out any future authority to levy special assessments by releasing the special and deferred assessments at this time.

Doom moved, Ritter seconded, the adoption of RESOLUTION NUMBER 3721, SECOND SERIES and that the reading of the same be waived. This is a resolution Deleting Adopted and Deferred Special Assessments for property owned by MarJon Limited Partnership, Parcel No. 09-015001-0 in the amount of \$198,459.96 and \$67,940.91. Voting in favor of the motion were: Doom, Ritter, Byrnes, Sanow, and DeCramer. Voting no were: Hulsizer and Boedigheimer.

Sanow moved, DeCramer seconded, the adoption of RESOLUTION NUMBER 3722, SECOND SERIES and that the reading of the same be waived. This is a resolution Deleting Adopted and Deferred Special Assessments for property owned Marie P. Doom Trust, Parcel No. 09-010004-1 in the amount of \$304,845.31. Voting in favor of the motion were: Doom, Ritter, Byrnes, Sanow, and DeCramer. Voting no were: Hulsizer and Boedigheimer

CONSIDER APPROVAL OF RESOLUTION FOR GREENSTEP CITIES:

Sharon Root, Lyon County Environmental Office, provided a power point presentation on the Minnesota GreenStep Cities Program. This is a voluntary Challenge, assistance and recognition program to help cities achieve their sustainability goals through implementation of 28 best practices.

Doom moved, Ritter seconded, the adoption of RESOLUTION NUMBER 3723, SECOND SERIES and that the reading of the same be waived. This is a resolution Authorizing the City of Marshall, Minnesota to Participate in the Minnesota GreenStep Cities Program. All voted in favor of the motion.

CONSIDER APPROVAL OF FIRE TOWNSHIP AGREEMENTS:

Ben Martig, City Administrator, indicated that staff has been working on a concept to move from a basic per section fee for fire townships to a formula based fee. This was presented to the Ways and Means in March of 2011, January 2012 and then again on March 19, 2012. This information was provided to the townships.

Boedigheimer moved, Doom seconded, the approval of the Agreements with Townships for Fire Protection Services for 2012-2013 and 2013-2014 at a rate of \$228.00 per section per year. All voted in favor of the motion.

CONSIDER ADOPTION OF ORDINANCE – SECTION 86-106, I-1 LIMITED INDUSTRIAL DISTRICT:

Glenn Olson, Director of Public Works/ City Engineer, briefly reviewed the revisions to Section 86-106, I-1 Limited Industrial District. There was a brief discussion on “no outside storage” and the recommendation was that this should state “no long-term outside storage”. Sanow moved, DeCramer seconded, the adoption of ORDINANCE NUMBER 650, SECOND SERIES with the addition of “no long-term outside storage” and that the reading of the same be waived. This ordinance amends Chapter 86 of the Marshall City Code Relating to Zoning. All voted in favor of the motion.

CONSIDER ADOPTION OF ORDINANCE TO REZONE 1104 AND 1106 WEST MAIN STREET AND 1110, 1200, 1206, AND 1210 WEST MAIN STREET FROM B-3 GENERAL BUSINESS DISTRICT TO I-1 LIMITED INDUSTRIAL DISTRICT:

Per the recommendation of the Planning Commission, Doom moved, Ritter seconded, the adoption of ORDINANCE NUMBER 651, SECOND SERIES and that the reading of the same be waived. This is an ordinance Amending Chapter 86 of the City Code Relating to Zoning. This ordinance would provide for 1210, 1206, 1200, 1110, 1104 and 1106 all along West Main Street to be removed from B-3 General Business District and placed into an I-1 Limited Industrial District. All voted in favor of the motion.

CONSIDER THE REQUEST BY PRECISION MARKETING CONCEPTS, LLC, THE LESSEE AND R & R OF GLENDIVE, LLC, THE OWNER, TO HAVE AN ADVERTISING SIGN AT THE CORNER OF HIGHWAY 59 SOUTH AND HIGHWAY 23:

Michael Van Drehle and Jeron Van Drehle, Precision Marketing Concepts, LLC, provided a power point presentation on Electronic Billboard Advertising Sign. They are proposing to install this sign at the corner of Highway 59 South and Highway 23. The Planning Commission have reviewed this request and are recommending the approval of the Conditional Use Permit with 9 conditions.

Doom moved, Ritter seconded, to approve the request of Precision Marketing Concepts, LLC the lessee and R & R of Glendive, LLC the owner for a Conditional Use Permit, for an Electronic Billboard Advertising Sign to be installed at the corner of Highway 59 South and Highway 23 with the following conditions:

- 1) That the regulations, standards and requirements as set forth in the City Code and as pertains to the Class of District which such structure is located therein shall be conformed with.
- 2) That the City reserves the right to revoke the Conditional Use Permit in the event that the applicant has breached the conditions contained in this permit provided first, however, that the City serve the applicant with written notice specifying items of any such default and thereafter allow the applicant a reasonable time in which to cure any such default.
- 3) That the owner maintains the structure to conform with the Zoning Ordinance, Building Code, and not cause or create negative impacts to existing or future properties adjacent thereto.

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- 4) The sign location must be maintained at the corner of Highway 23 and Highway 59 South as shown on the provided sketch or within 20 feet of the corner of the property. A survey showing exact sign location by the registered land surveyor shall be filed with the City of Marshall prior to sign installation. The sign or any part thereof shall not encroach into any public right-of-way.
- 5) This permit is for the sign structure as shown on the provided drawing and presented to the Commission and on file with the Zoning Administrator. Prior to sign installation, a sign permit application must be applied and paid for. Structural drawings showing sign footing and foundations shall be signed by a registered professional engineer and submitted along the sign permit application.
- 6) The sign structure shall be maintained in a safe condition and all surfaces maintained without blemish or defects. The Precision Marketing Concept, as a sign current owner, R&R of Glendive, as a current land owner, and all future sign and land owners are fully responsible for maintenance, together or separately.
- 7) The sign shall comply with the following in regards to image change and brightness:
 - a) Image Change Frequency: Not more often than every 6 seconds;
 - b) Image transition shall be instantaneous without any special effect;
 - c) Image maximum illumination shall be not more than 0.3 foot candle above ambient light at a distance of 150 feet from sign face.
 - d) No flash or moving images are allowed.
 - e) The sign brightness shall adjust depending on ambient light conditions.
 - f) The sign image display shall be discontinued in case of sign malfunction.
- 8) The sign owner shall adjust the sign brightness if the City finds it to be too bright and interfering with driver's operation of motor vehicle and official traffic control.
- 9) No more than 2 ads are displayed at one time.

Fire Chief Marc Klaith was concerned with the location of the billboard due to the number of accidents that have taken place at this intersection.

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

Mayor Byrnes called for a 5-minute recess at 7:15 P.M.

SOUNDS OF SUMMER COMMITTEE REQUESTS – A. PRIVATE USE OF PUBLIC STREETS AND PARKING LOTS (AUGUST 16 AND AUGUST 18-19, 2012) – CALL FOR PUBLIC HEARING (WEST COLLEGE DRIVE (MAIN TO SARATOGA) AND MARVIN SCHWAN MEMORIAL DRIVE (WEST COLLEGE TO SOUTH "A"); B. PARADE REQUEST (AUGUST 18, 2012):

Glenn Olson, Director of Public Works/City Engineer, reviewed the request from the Sounds of Summer Committee for the private use of public streets and parking lots on August 16, 2012 and August 18 – 19, 2012. Mr. Olson is recommending that a public hearing be held on April 10, 2012. Ritter moved, Sanow seconded, that a public hearing be held at 5:30 P.M. on April 10, 2012 for the private use of public streets and parking lots.

Ritter moved, Sanow seconded, approval for the Sounds of Summer Parade to be held on Saturday, August 18, 2012, along the same route as prior years. Line-up would begin at 2:00 p.m. on Jewett Street and East Lyon Street to South Bruce Street, the start of the parade. The parade would start at 4:00 p.m. It would proceed to East Main Street (TH 59) northwesterly to downtown Marshall and ending between 5th and 6th Streets at approximately 5:30 p.m., or if exceptionally large parade, could be 6:00 p.m. If approved by the City Council, the request will be coordinated with Mn/DOT for their approval. All voted in favor of the motion.

CONSIDER APPROVAL OF AMENDED ORDINANCE REDEFINING WARD BOUNDARIES AND ELECTION PRECINCT BOUNDARIES WITHIN THE CITY OF MARSHALL:

Doom moved, Sanow seconded, the adoption of ORDINANCE NUMBER 652, SECOND SERIES and that the reading of the same be waived. This is an ordinance Redefining Ward Boundaries and Election Precinct Boundaries within the City of Marshall, Minnesota. All voted in favor of the motion.

INTRODUCTION OF ORDINANCE AMENDING CITY CHARTER UNDER CHAPTER 6, SECTION 6.05 PURCHASES AND CONTRACTS; AND CHAPTER 7, SECTION 7.05 PREPARATION OF THE ANNUAL BUDGET AND SECTION 7.10 DISBURSEMENTS – HOW MADE, AND SECTION 7.11 FUNDS TO BE KEPT, TO ALLOW FOR THE CREATION OF DEDICATED FUND FOR THE ENDOWMENTS:

Ben Martig, City Administrator, briefly reviewed the proposed changes to the City Charter under Chapter 6, Section 6.05 Purchases and Contracts; Chapter 7, Section 7.05 Preparation of the Annual Budget; Section 7.10 Disbursements –How Made, and Section 7.11, Funds to be Kept, to allow for the creation of dedicated fund for the endowments.

Sanow moved, Ritter seconded, to call for a public hearing to be held at 5:30 P.M. on April 10, 2012 to consider the adoption of an ordinance amending the City Charter Chapter 6, Section 6.05 Purchases and Contracts; Chapter 7, Section 7.05 Preparation of the Annual Budget; Section 7.10 Disbursements – How Made; and Section 7.11, Funds to be Kept, to allow for the creation of dedicated fund for the endowments. All voted in favor of the motion.

CONSIDER RECOMMENDATIONS OF CHARTER COMMISSION APPOINTEES FOR TERMS BEGINNING JANUARY 1, 2013:

Ben Martig, City Administrator, indicated that the City Council has the opportunity to nominate individuals to the City Charter Commission. The Charter Commission is recommending to re-appoint Todd Schweer, Kip Sillers, James Zmeskal, and Cork J. Kizer and two additional members Joshua Anderson and Adam Azhar. Mr. Martig indicated that additional nominations can be made at a later date.

Sanow moved, Doom seconded, that Todd Schweer, Kip Sillers, James Zmeskal, Cork J. Kizer, Joshua Anderson and Adam Azhar be nominated to the City Charter Commission for a term beginning January 1, 2013. All voted in favor of the motion, except Boedigheimer who voted no.

PROJECT Y97 SOUTH 1ST STREET LIFT STATION OVERFLOW PROJECT – CONSIDER AUTHORIZATION TO ENTER INTO AGREEMENT FOR DESIGN ENGINEERING SERVICES WITH BOLTON & MENK, INC:

Glenn Olson, Director of Public Works/City Engineer, indicated that proposals were received for Professional Services for Design Engineering Services for the South 1st Street Lift Station. Proposals were received from:

Bolton & Menk, Inc.
Mankato, Minnesota
\$16,300.00

Short, Elliot, Hendrickson, Inc.
Mankato, Minnesota
\$28,300.00

Ritter moved, DeCramer seconded, the proper city personnel be authorized to enter into a Professional Services Agreement with Bolton & Menk, Inc., for Design Engineering Services for the South 1st Street Lift Station for a not-to-exceed amount of \$16,300.00 subject to City Attorney review and approval of the agreement. All voted in favor of the motion.

CONSIDER RESOLUTION GRANTING A UTILITY EASEMENT TO MARSHALL MUNICIPAL UTILITIES (MMU) FOR PUBLIC UTILITY PURPOSES ON CITY-OWNED PROPERTY FOR THE LONDON ROAD ELECTRICAL DISTRIBUTION CONVERSION PROJECT:

DeCramer moved, Doom seconded, the adoption of RESOLUTION NUMBER 3724, SECOND SERIES and that the reading of the same be waived. This is a resolution Granting a Utility Easement to Marshall Municipal Utilities (MMU) for Public Utility Purposes on City-Owned Property Parcel Number 27-625005-0 and 27-625006-0. All voted in favor of the motion.

CONSIDER AMENDMENT TO FARM LEASE WITH PAUL & FRAN DEUTZ, INC:

Glenn Olson, Director of Public Works/City Engineer, indicated that Mr. Deutz is requesting to install farm tile on the property he leases from the City of Marshall. Mr. Deutz will take care of all permits and the farm tile, which will remain on the property.

Doom moved, Ritter seconded, the approval of an Amendment to the Farm Lease with Paul & Fran Deutz, Inc., dated October 25, 2011, reducing the 2013 lease payment of \$1,325.80 and allowing Mr. Deutz to install farm tiling on City-owned property and crediting Mr. Deutz with 50% of said tiling costs incurred up to \$750.00. Mr. Deutz will submit to the City a copy of the paid invoice for the work completed on this property for the credit to the 2013 lease payment. All voted in favor of the motion.

COUNCIL MEMBER COMMISSION/BOARD LIAISON REPORTS:

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

Byrnes No report.

Hulsizer Human Rights Commission met on March 26th.

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

Sanow No report.

DeCramer EDA reviewed the housing market plan; Utilities Commission is working on bonding for 2012 projects.

Boedigheimer PraireNet Consortium met on March 26th.

Ritter No report.

STAFF REPORTS – CITY ADMINISTRATOR:

Ben Martig, City Administrator, indicated that the Valuation and Classification Notification from Lyon County will be mailed on March 28th; the training for the Paperless Board Meetings will be held on April 3rd; and there will be two presentations of proposals for acquisition of the former Library; the Ways and Means need to discuss bonding, and possible funding and location for a new Liquor store. Mr. Martig indicated that he attended the LMC Legislative Conference for Cities, Counties, Schools and Townships last week. Staff is continuing to advocate for State bonding for the MERIT Center and the Amateur Sports Facility; PIT will meet next week and work is continuing on the Administrative Code.

STAFF REPORTS – CITY ENGINEER:

Glenn Olson, Director of Public Works/City Engineer, provided a brief report on the high cost of electricity at the new Library.

STAFF REPORTS – CITY ATTORNEY:

Dennis Simpson, City Attorney, indicated that the staff from Paulsen Architects of Mankato, Minnesota and City staff conducted an inspection of the Marshall Hotel. The City should receive a report by the end of April.

COUNCIL MEMBER INDIVIDUAL ITEMS:

Council Member Boedigheimer indicated that the residents along Bruce Street have contacted him with concerns with the parking by the hospital. Boedigheimer suggested that this be discussed by the Public Improvement/Transportation Committee.

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.	Gary Vlaininck Construction	415	North	5th Street	Gazebo, Reroof Dwelling & Garage (asphalt)	\$13,500
2.	Dan Schaefer Construction, Inc	508		Country Club Drive	Basement Remodel	\$35,000
3.	American Remodeling Contractors, Inc.	220	North	Whitney Street	Overhead Door	\$1,300
4.	Babcock Construction	306	South	1st Street	Reroof (asphalt) 5:12, Partial Reside (steel), Window	\$9,200
5.	Joseph & Jennie Hulsizer	614		Kendall Street	Reside (vinyl)	\$9,700
6.	Coudron Construction, LLC	507		Viking Drive	Partial Reside (vinyl), 2 Overhead Doors	\$6,200
7.	Andrew DeSaer	915		Pine Avenue	Reroof (asphalt), Reside (vinyl)	\$8,500
8.	Coudron Construction, LLC	1121		David Drive	Reroof (asphalt) 6:12	\$9,200
9.	Jeff Gladis Construction	502		Pleasant Street	Reroof (asphalt) 4:12 & 6:12	\$7,400
10.	Ronald Halgerson	114		Park Avenue	Reroof (asphalt), Partial Reside (wood shingles)	\$15,000
11.	Diane Buesing	613		Camden Drive	Finish Basement	\$2,000
12.	Ryan Serreyn	113		George Street	Reside (vinyl), Replace Garage Entry Doors, Install Garage Window	\$5,000
13.	Jeff Gladis Construction	903		Pine Avenue	Reroof (asphalt) 4:12, 1 piece of siding	\$9,000
14.	Jeff Gladis Construction	508		Darlene Drive	Reroof (asphalt) 4:12, Partial Reside (vinyl)	\$12,300
15.	Jeff Gladis Construction	208		Walnut Street	Reroof (asphalt) 12:12, Sheathing, Partial Gutters	\$15,500

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16.	Jeff Gladis Construction	204	Athens	Avenue	Reroof (asphalt) 4:12, Partial Reside (vinyl), Partial Gutters, Entry Door, Patio Door, Overhead Door, 1 Window	\$14,900
17.	Jeff Gladis Construction	822	West Main	Street	Reroof (asphalt) 8:12, Partial Reside (steel), Partial Gutter	\$14,500
18.	Jeff Gladis Construction	113	F	Street	Reroof (asphalt) 5:12 & 6:12	\$5,300
19.	Jeff Gladis Construction	115	F	Street	Reroof (asphalt) 4:12 & 6:12	\$6,800
20.	Jeff Gladis Construction	406	Lawerence	Street	Reroof (asphalt) 4:12, Reside (vinyl), 2 Overhead Doors, 1 Entry Door	\$22,500
21.	Jeff Gladis Construction	204	DeSchepper	Court	Reroof (asphalt) 4:12	\$7,900
22.	Jeff Gladis Construction	600	Kendall	Drive	Reroof (asphalt) 8:12, Reside (vinyl), Partial Gutters	\$17,500
23.	Jeff Gladis Construction	210	Ash	Drive	Reroof (asphalt) 3:12, Partial Reside (vinyl)	\$7,800
24.	Jeff Gladis Construction	218	Athens	Avenue	Reroof (asphalt) 4:12 & 6:12, Reside (vinyl), Partial gutters, 4 windows	\$19,900
25.	Jeff Gladis Construction	1202	Dublin	Street	Reroof (asphalt) 6:12	\$10,400
26.	Jeff Gladis Construction	510	North High	Street	Reroof (asphalt) 4:12	\$7,600
27.	Jeff Gladis Construction	107	Donita	Avenue	Reroof (asphalt) 4:12	\$8,300
28.	Layle French Construction Inc.	103	Parkview	Drive	Reroof (asphalt) 4:12, Partial Reside (vinyl)	\$8,100
29.	High Point Exteriors LLC	1001	Woodfern	Drive	Reroof (asphalt) 4:12, Reside (vinyl)	\$12,000
30.	Robert & Lori VanMoer	204	DeSchepper	Court	Garage Addition	\$9,000
31.	VanLeeuwe Construction LLC	602	South Saratoga	Street	Reroof (asphalt) 5:12	\$9,300
32.	Kerry & Michelle Malmquist	903	South 1st	Street	Reroof (asphalt)	\$9,000
33.	Carr Properties	1224	Patricia	Court	Partial Reside (vinyl)	\$1,500
34.	Geihl Construction, Inc.	202	North 4th	Street	Bathroom Remodel, 4 windows, Remove 20 windows, Tuck Pointing	\$10,000
35.	Karl Campbell Construction	307	North Whitney	Street	Reroof (asphalt) 4:12	\$6,600
36.	Larry VanMoer	707	Nuese	Lane	Reroof (asphalt) 4:12, Gutters	\$9,500

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37.	Alan Carpenter	608	Donita	Avenue	Reside Dwelling & Garage (vinyl), Partial Reroof Garage (asphalt)	\$9,700
38.	Cory Sauter	601	Mercedes	Drive	Reroof (asphalt) 9:12, 12:12	\$16,000
39.	Daniel Vogt	305	East Thomas	Avenue	Partial Reside (vinyl)	\$2,000
40.	CAB Quality Construction LLC	1230	Birch	Street	Reroof (asphalt) 4:12, Partial Reside (vinyl)	\$13,500
41.	CAB Quality Construction LLC	308	Lawerence	Street	Reroof (asphalt) 8:12	\$4,900
42.	CAB Quality Construction LLC	304	Lawerence	Street	Reroof (asphalt) 8:12	\$4,100
43.	CAB Quality Construction LLC	302	Lawerence	Street	Reroof (asphalt) 8:12, Reside (vinyl)	\$10,000
44.	CAB Quality Construction LLC	101	Marlene	Street	Reroof (asphalt) 10:12, Gutters	\$13,000
45.	CAB Quality Construction LLC	301	South 4th	Street	Reroof (asphalt) 8:12, Deck Lattice	\$6,500
46.	CAB Quality Construction LLC	1201	Cheryl	Avenue	Reroof (asphalt) 4:12	\$6,100
47.	CAB Quality Construction LLC	406	North 6th	Street	Partial Reroof (asphalt) 6:12, Partial Reside (vinyl)	\$1,300
48.	Jordan Jacobson	909	Poplar	Avenue	Window	\$500
49.	Magdalena R. Ross	103	North 6th	Street	Dwelling & Garage Reroof (asphalt), Reside (vinyl)	\$10,000
50.	James Lozinski Construction Inc.	310	Walnut	Street	Reroof (asphalt) 6:12	\$7,900
51.	James Lozinski Construction Inc.	502	Dogwood	Avenue	Reroof (asphalt) 8:12	\$14,200
52.	James Lozinski Construction Inc.	1112	Skyline	Drive	Reroof (asphalt) 4:12, Reside (vinyl)	\$27,000
53.	James Lozinski Construction Inc.	619	West Redwood	Street	Reroof (asphalt) 6:12, Reside (vinyl)	\$12,000
54.	James Lozinski Construction Inc.	1007	Colombine	Drive	Partial Reside (vinyl)	\$2,900
55.	James Lozinski Construction Inc.	607	South Bruce	Street	Reroof (asphalt) 4:12, Reside (vinyl)	\$16,900
56.	James Lozinski Construction Inc.	504	West Redwood	Street	Reroof (asphalt) 6:12	\$8,900
57.	True Value Home Center	1114	Skyline	Drive	Partial Reside (vinyl), Gutters	\$2,500
58.	Wade & Cindy S. McKittrick	1109	Jefferson	Avenue	2 Overhead Doors	\$1,000
59.	Dennis Lozinski Construction	123	F	Street	Reroof (asphalt) 4:12	\$6,000
60.	Charles Hess	113	10th	Street	Sign	\$300
61.	James Lozinski Construction Inc.	102	East Thomas	Avenue	3 Overhead Doors	\$1,200
62.	J F TAYLOR & SONS, INC.	1106	Hackberry	Drive	Reroof (asphalt)	\$8,300
63.	Lincoln Street Partnership	1005	Dano	Circle	Reroof (asphalt)	\$9,600

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64.	Lincoln Street Partnership	1001	Dano	Circle	Reroof (asphalt)	\$9,600
65.	Tri State General Contracting	1310	Peterson	Street	Windows	\$31,400
66.	Tri State General Contracting	1308	Peterson	Street	Windows	\$31,400
67.	Tri State General Contracting	1101	Winchester	Avenue	Windows	\$23,800
68.	Curtis Herrick	104	Circle	Drive	Bathroom Remodel	\$2,000
69.	Awards Plus	1113	East College	Drive	Sign	\$2,600
70.	Scott Stattelman	606	Donita	Avenue	Reroof (asphalt) 4:12 & Flat, Move wall, Bathroom Remodel	\$10,000
71.	VanLeeuwe Construction LLC	401	South Bruce	Street	Reroof (asphalt) 6:12	\$12,800
72.	James Lozinski Construction Inc.	511	East Main	Street	Reroof (asphalt) 6:12, Partial Reside (vinyl)	\$9,900
73.	James Lozinski Construction Inc.	509	West Redwood	Street	Reroof (asphalt) 6:12, Partial Reside (vinyl)	\$17,000
74.	James Lozinski Construction Inc.	510	Lawerence	Street	Reroof (asphalt) 4:12	\$9,900
75.	James Lozinski Construction Inc.	510	West Redwood	Street	Reroof (asphalt) 4:12	\$5,900
76.	James Lozinski Construction Inc.	314	East Lyon	Street	Reroof (asphalt) 4:12, Reside (vinyl)	\$21,000
77.	Candace & Tracy Gundermann	408	Williams	Street	Reside Shed (vinyl), Partial Reside Dwelling (vinyl), Reroof Shed (asphalt)	\$13,000
78.	Karl Campbell Construction	506	Viking	Drive	Reroof (asphalt) 4:12	\$7,900
79.	Dennis Lozinski Construction	902	Willow	Avenue	Partial Reroof (asphalt) 8:12	\$3,500
80.	Dennis Lozinski Construction	305	North 7th	Street	Reside (vinyl)	\$13,000
81.	Aaric & Cheryl Geihl	612	West Lyon	Street	Demo Garage	\$700
82.	Rose A. Shellenberg	400	North Elm	Street	Windows	\$1,000
83.	Aspen Exteriors, Inc	108	North 1st	Street	Reroof Garage (asphalt) 5:12, Reroof Flat Dwelling, Reside Dwelling (vinyl)	\$8,400
84.	Dru Kesteloot	802	Colombine	Drive	Partial Reside (vinyl), Gutters	\$1,500
85.	Christopher L. & Wanda R. Hebrank	606	South Saratoga	Street	Reroof (asphalt) 7:12, Reside (vinyl), Deck Repair, Reside Shed (vinyl), Gutters	\$34,000
86.	Aspen Exteriors, Inc	711	North 6th	Street	Partial Reside (vinyl)	\$11,800
87.	Todd & Dawn Christensen	500	North Bruce	Street	Reroof (asphalt)	\$8,500

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87.	Todd & Dawn Christensen	500 North Bruce Street	Reroof (asphalt)	\$8,500
88.	Thomas & Veronica Meulebroeck	108 Donita Avenue	Reroof (asphalt), Partial Reside (vinyl)	\$13,500
89.	Geske Home Improvement Co.	1203 Parkside Drive	Reside (steel)	\$21,000
90.	Marshall Commercial Prop. LLC	349 West Main Street	Temp. Wall, 2 Interior Doors	\$1,200

1.	Travis J. Lorenz	515	Central Avenue	Remodel Bathroom	\$2,500.00
2.	Ricky J. Myhre	606	Donita Avenue	Replumb the house, Except Kitchen Sink	\$0.00
3.	Heartland Mechanical, Inc.	1730	Thunderbird Road	4 Plex	\$0.00
4.	Heartland Mechanical, Inc.	1720	Thunderbird Road	4 Plex	\$0.00
5.	Heartland Mechanical, Inc.	601	DeSchepper Street	Dwelling	\$0.00
6.	Heartland Mechanical, Inc.	126	Legion Field Road	Dwelling	\$0.00
7.	Heartland Mechanical, Inc.	603	Cougar Court	Dwelling	\$0.00
8.	Heartland Mechanical, Inc.	503	Continental Street	Dwelling	\$0.00
9.	Heartland Mechanical, Inc.	900	Elizabeth Street	Dwelling	\$0.00
10.	Heartland Mechanical, Inc.	1113 East	College Drive	Bathroom Remodel	\$0.00
11.	Minnwest Plumbing & Heating, Inc.	508	Country Club Drive	Bathroom	\$0.00

DETERMINATION TO GO INTO CLOSED SESSION PURSUANT TO MINNESOTA STATUTE 13D.03 RELATED TO UNION CONTRACTS:

Sanow moved, Decramer seconded, that the City Council go into closed session at 8:01 P.M. pursuant to Minnesota Statute 13D.03 related to Union Contracts. All voted in favor of the motion.

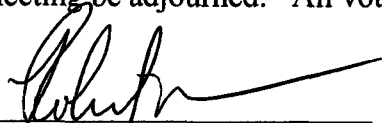
Those present at the closed session included: Byrnes, Hulsizer, Doom, Sanow, DeCramer, Boedigheimer and Ritter. Staff present included: Ben Martig, City Administrator, and Thomas M. Meulebroeck, Financial Director/City Clerk.

The Council came out of closed session at 8:08 P.M. and reconvened.

CONSIDER APPROVAL OF AMENDED WAGE SCHEDULE:

Sanow moved, Doom seconded, that the City of Marshall Wage Schedule be approved for all AFSCME union employees and all full-time non-union employees for 2012 and 2013, which reflects a 2% increase each year. All voted in favor of the motion.

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


Mayor of the City of Marshall

ATTEST:


Finance Director/City Clerk