

REGULAR MEETING – JULY 24, 2012

The regular meeting of the Common Council of the City of Marshall was held on July 24, 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 President Pro-Tem Mike Boedigheimer. In addition to Boedigheimer the following members were in attendance: Charlie Sanow, Jennie Hulsizer, John DeCramer, and Larry Doom. Absent were: Dan Ritter and Bob Byrnes. Staff present included: Ben Martig, City Administrator; Dennis Simpson, City Attorney; Glenn Olson, Director of Public Works/City Engineer; Thomas M. Meulebroeck, Finance Director/City Clerk and Jane DeVries, Deputy City Clerk. Others in attendance included: Cal Brink, CEO Marshall Area Chamber of Commerce.

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 published on July 20, 2012 and with the addition of item number 25, which is to discuss the salary and compensation of the mayor and council members and the addition of item number 26, which is to consider a resolution authorizing the execution of Minnesota Department of Transportation Grant Agreement No. 01755 (S.P. A4201 85) for the purchase of a UTV for the airport'.

APPROVAL OF MINUTES:

Member (**Charlie Sanow**) moved, Member (**Larry Doom**) seconded to approve the **ORIGINAL** motion 'that the minutes of the regular meeting held on July 10, 2012 be approved as filed with each member and that the reading of the same be waived'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried 5 - 0**

PUBLIC HEARING ON THE TRANSFER OF AN ON-SALE LIQUOR LICENSE:

This was the date and time set for a public hearing to consider the transfer of an On-Sale Intoxicating Liquor License from the Landmark Bistro to the Caldo Italian Kitchen, 100 West College Drive. Mr. Struwe is requesting that this license be issued for the restaurant, patio, mercantile and outside on main. Thomas M. Meulebroeck, Finance Director/City Clerk, indicated that per State Statute 340A.410, subd 7 and City Code Section 6-28 a liquor license can only be issued to places that are compact and contiguous, therefore the area outside on main would not be considered compact and contiguous.

Member (**Larry Doom**) moved, Member (**Charlie Sanow**) seconded to approve the **ORIGINAL** motion 'close the public hearing'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried 5 - 0**

CONSIDER APPROVAL OF THE TRANSFER OF AN ON-SALE INTOXICATING LIQUOR LICENSE TO CALDO ITALIAN KITCHEN:

Member (**Larry Doom**) moved, Member (**Charlie Sanow**) seconded to approve the **ORIGINAL** motion 'to approve the transfer of the On-Sale Intoxicating Liquor License from the Landmark Bistro to Caldo Italian Kitchen, 100 West College Drive, Marshall, Minnesota for the restaurant, patio and mercantile'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried 5 - 0**

CONSIDER APPROVAL OF SUNDAY LIQUOR LICENSE FOR CALDO ITALIAN KITCHEN:

Member (**Charlie Sanow**) moved, Member (**Larry Doom**) seconded to approve the **ORIGINAL** motion 'the approval of a Sunday Liquor License for Caldo Italian Kitchen, 100 West College Drive, Marshall, Minnesota. This license is for the restaurant, patio and mercantile'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried 5 - 0**

CONSIDER TRANSFER OF OFF-SITE LIQUOR LICENSE FROM THE LANDMARK BISTRO TO CALDO ITALIAN KITCHEN FOR SOUNDS OF SUMMER:

Thomas M. Meulebroeck, Finance Director/City Clerk, indicated that on April 10, 2012 the City Council approved a Special Event Permit for the Marshall Festivals Inc., dba Marshall Sounds of Summer and the approval for the Landmark Bistro to serve alcohol in the fenced off area of the parking lot on West College Drive from 5:00 P.M. Saturday, August 18, 2012 to 1:00 A.M. on Sunday, August 19, 2012. This also includes approval for those under 21 to be allowed into the fenced off area with a parent or guardian until 1:00 A.M. on Sunday, August 19, 2012. Due to the request to transfer the Off-Site Liquor License from the Landmark Bistro to Caldo Italian Kitchen Mr. Struwe has agreed to honor the commitment of the Landmark Bistro for the Sounds of Summer.

Member (**Charlie Sanow**) moved, Member (**Larry Doom**) seconded to approve the **ORIGINAL** motion 'to approve the transfer of the Off-Site Liquor License from the Landmark Bistro to Caldo Italian Kitchen from 5:00 P.M. Saturday, August 18, 2012 to 1:00 A.M. Sunday, August 19, 2012'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried 5 - 0**

AWARD OF BIDS - PROJECT Y61 / S.A.P. 139-130-001: KOSSUTH AVENUE RECONSTRUCTION PROJECT – CONSIDER RESOLUTION DECLARING OFFICIAL INTENT REGARDING THE REIMBURSEMENT OF EXPENDITURES WITH THE PROCEEDS OF TAX-EXEMPT BONDS:

Bids were received, opened and read on July 17, 2012 for Kossuth Avenue Reconstruction Project Y61 / S.A.P. 139-130-001. Bids received, opened and read were from:

Kuechle Underground, Inc.
Kimball, Minnesota
\$1,711,741.94

H & W Contracting, Inc.
Sioux Falls, South Dakota
\$2,000,505.45

Duininck Bros., Inc.
Prinsburg, Minnesota
\$2,019,083.05

Carstensen Contracting, Inc.
Pipestone, Minnesota
\$2,065,461.70

Quam Construction Co., Inc.
Willmar, Minnesota
\$2,309,754.40

J.R. Ferche, Inc.
Rice, Minnesota
\$2,252,642.40

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Glenn Olson, Director of Public Works/City Engineer, indicated that this project involves the replacement of watermain, sanitary sewer and storm sewer utilities, and street reconstruction. The proposed project will reconstruct the street and described utilities on Kossuth Avenue from North 4th Street to North 7th Street and North 5th Street from Mason Street to Hudson Avenue. The proposed project will include a change in alignment of Kossuth Avenue from North 4th Street to North 7th Street and include the demolition of the old rendering building and small storage building adjacent to the animal impound center, which are in the way of the proposed street construction. Council Member Sanow asked if there was sidewalk on both sides of the street. Mr. Olson indicated yes.

Member (**Larry Doom**) moved, Member (**John DeCramer**) seconded to approve the **ORIGINAL** motion 'that the Council adopt RESOLUTION NUMBER 3769, SECOND SERIES, which provides for Declaring Official Intent Regarding the Reimbursement of Expenditures with the Proceeds of Tax-Exempt Bonds for Project Y61 / S.A.P. 139-130-001: Kossuth Avenue Reconstruction Project.'. Upon a roll call vote being taken, the vote was: Aye: 5 Nay: 0. The motion **Carried 5 - 0**

PROJECT Y61 / S.A.P. 139-130-001: KOSSUTH AVENUE RECONSTRUCTION
PROJECT – CONSIDER RESOLUTION ACCEPTING BID (AWARD CONTRACT):

Member (**Charlie Sanow**) moved, Member (**Larry Doom**) seconded to approve the **NEW** motion 'approve award of bid with change order no. 1 to remove sidewalk on one side from 5th street to justice park'. This motion also provides for the adoption of RESOLUTION NUMBER 3770, SECOND SERIES, which provides for the Resolution Accepting Bid (Awarding Contract) authorizing entering into an agreement with Kuechle Underground, Inc., of Kimball, Minnesota, in the amount of \$1,711,741.94 for Project Y61 / S.A.P. 139-130-001 Kossuth Avenue Reconstruction Project. The sidewalk to be removed is on the North side of Kossuth from North 5th Street to Justice Park.

President Pro-Tem Michael Boedigheimer indicated that the bids were received with sidewalk on both sides of Kossuth Street and the Council could consider a Change Order at a later date to remove sidewalk on the one side.

Council Member Sanow indicated that there are several areas in town that do not have sidewalks on both sides of the street. He indicated that the council should consider eliminating the sidewalk on the North side of Kossuth from North 5th Street to Justice Park. Sanow also indicated that he felt there was more of a safety issue by installing sidewalks on this side of the street then by not installing them.

Glenn Olson, Director of Public Works/City Engineer, indicated that the Council has the authority to remove the sidewalk by a Change Order after the contract is awarded.

Dennis Simpson, City Attorney, indicated that the contract should be awarded as the bids were solicited and that a change order be considered at a later date.

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Council Member DeCramer expressed a concern that just because the neighbors do not want sidewalks is that a realistic reason to not include them when the City's Policy is to include sidewalks.

Council Member Sanow indicated that the City has not always followed the sidewalk policy for the past 5 years.

Council Member Doom indicated that on that side of the street there are some parcels that do not have adequate space for sidewalks unless it is placed right next to the street.

DeCramer was concerned with the real reason for removing sidewalks is because there is not adequate space or because the residents do not want sidewalks.

Doom indicated that when the project was first discussed there was discussion on not installing sidewalks because of not adequate space and having to remove trees.

Council Member Hulsizer questioned if the reason for not installing sidewalks needs to be part of the motion, as long as it was discussed at the meeting.

City Attorney Simpson indicated that the reason for removing the sidewalk could be addressed at the time the change order is considered and does not need to be part of this motion.

Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried 5 - 0**

**AWARD OF BIDS - PROJECT Z08: BITUMINOUS CHIP SEALING PROJECT –
CONSIDER RESOLUTION ACCEPTING BID (AWARDING CONTRACT):**

Bids were received, opened and read on July 10, 2012 for Bituminous Chip Sealing Project Z08. The bids received, opened and read were from:

McLaughlin & Schulz, Inc.
Marshall, Minnesota
\$72,435.00

Caldwell Asphalt
Hawick, Minnesota
\$75,396.25

Glenn Olson, Director of Public Works/City Engineer, indicated that the engineer's estimate for the bituminous chip sealing was \$54,000. The original low bid of \$72,435.00 was submitted by McLaughlin & Schulz, Inc. Approximately \$50,000 has been included in the City Street Department's 2012 budget for bituminous chip sealing on various city streets. City staff has reviewed the project and negotiated a reduction in the proposed project quantities to adjust the project amount to \$50,250.00 which would be within the 2012 budget for chip sealing.

Member (**John DeCramer**) moved, Member (**Charlie Sanow**) seconded to approve the **ORIGINAL** motion 'that the Council adopt RESOLUTION NUMBER 3771, SECOND SERIES, which is the "Resolution Accepting Bid (Award Contract)" for Project Z08: 2012 Bituminous Chip Sealing Project to McLaughlin & Schulz, Inc. in the amount of \$50,250.00'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried 5 - 0**

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**AWARD OF BIDS - PROJECT Z09: BITUMINOUS RESURFACING PROJECT —
CONSIDER RESOLUTION ACCEPTING BID (AWARDING CONTRACT):**

Bids were received opened and read on July 10, 2012 for the Bituminous Resurfacing Project Z09. The bids received, opened and read were from:

McLaughlin & Schulz, Inc.
Marshall, Minnesota
\$220,926.10

Duininck, Inc.
Prinsburg, Minnesota
\$222,500.82

Member (**Charlie Sanow**) moved, Member (**Larry Doom**) seconded to approve the **ORIGINAL** motion 'that the Council adopt RESOLUTION NUMBER 3772, SECOND SERIES, which is the "Resolution Accepting Bid (Award Contract)" for Project Z09: 2012 Bituminous Resurfacing Project to McLaughlin & Schulz, Inc. in the amount of \$220,926.10'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried 5 - 0**

CONSIDER APPROVAL OF CONSENT AGENDA:

Member (**John DeCramer**) moved, Member (**Charlie Sanow**) seconded to approve the **ORIGINAL** motion 'that the council approve all consent agenda items as presented'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried 5 - 0**

The introduction of the Preliminary Plat of Lockwood Addition and call for a public hearing to be held at the August 7, 2012 City Council meeting.

The introduction of the Preliminary Plat of Sonstegard Subdivision II and call for a public hearing to be held at the August 7, 2012 City Council meeting.

Authorization be granted for street closure for the Homecoming Day Parade on Saturday, October 6, 2012. Line up would begin at 10:00 a.m., with the parade start at 11:00 a.m. and ending at approximately 12:30 p.m. Line up would begin at Jewett Street and East Lyon Street to Bruce Street and beginning there, proceeding to East Main Street (T.H. 59) northwest to downtown Marshall and ending at 5th and 6th Streets upon the approval of MN/DOT.

Call for a public hearing to be held at 5:30 P.M. on August 7, 2012 for a new On-Sale Liquor License for El Rancho #2 to be located at 1419 East College Drive.

The approval of a Temporary On-Sale Liquor License for Holy Redeemer Church for September 23, 2012 at the Lyon County Fairgrounds. The fee for this license is \$30.00.

The approval of a Temporary On-Sale Liquor License for the Marshall Fire Department Relief Association to use on August 9, 2012 at 201 East Saratoga Street. The fee for this license is \$30.00.

The Council receive a petition to vacate various utility easements in Sonstegard Subdivision I, order the petition to be filed for record with the City Administrator, order hearing on such petition, and set the hearing date for August 7, 2012.

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That the following bills and project payments be authorized for payment, ACCOUNTS PAYABLE, Voucher No. 80260 through 80474.

CONSIDER RESOLUTION APPROVING THE CONTRACT FOR FIRM ELECTRIC SERVICE (FES), WITH THE WESTERN AREA POWER ADMINISTRATION (WAPA):

Brad Roos, Marshall Municipal Utilities General Manager, indicated that since 1958 Marshall Municipal Utilities has received a portion of its electrical needs from hydroelectric plants located on the main stem dams on the upper Missouri River. In 2012 approximately 21% of the community's electric customers' needs are served by this hydropower source. The current contracting party for the hydroelectric power is the Western Area Power Association (WAPA), an entity within the Federal Department of Energy. The City of Marshall and WAPA currently have a Firm Electric Service (FES) contract in place and have been operating pursuant to the terms of that contract for numerous years. The existing FES contract is set to expire December 31, 2020. Mr. Roos indicated that the Marshall Municipal Utilities Commission has concluded that the approval of the FES contract between the City of Marshall and WAPA for the period of time January 1, 2021 through December 31, 2050 is beneficial and appropriate and provides for the continued allocation of electric service to the customers of MMU.

Member (**John DeCramer**) moved, Member (**Charlie Sanow**) seconded to approve the **ORIGINAL** motion 'That the Council adopt RESOLUTION NUMBER 3773, SECOND SERIES, which is a resolution in support of the MMU Commission regarding Firm Energy Services contract between WAPA and City of Marshall'. Upon a roll call vote being taken, the vote was: Aye: 5 Nay: 0. The motion **Carried 5 - 0**

CONSIDER THE REQUEST OF JAMES SKEWES OF SKEWES JEWELRY FOR A VARIANCE ADJUSTMENT PERMIT FOR LESS PARKING SPACES THAN REQUIRED BY CITY ORDINANCE AND A REAR YARD SETBACK OF LESS THAN REQUIRED BY CITY ORDINANCE:

James Skewes of Skewes Jewelry was in attendance at the meeting to request a Variance Adjustment Permit to build a new building on his lot with reduced rear yard and reduced number of parking spaces from the ones required by the Ordinance. The owner wants to build a new building that will house an RC (remote control) car racing track.

Glenn Olson, Director of Public Works/City Engineer, indicated that the site already contains an established jewelry store with parking and is relatively tight. Parking and setback requirements are two separate matters and may be addressed individually.

Member (**Larry Doom**) moved, Member (**Jennie Hulsizer**) seconded to approve the **ORIGINAL** motion 'that the Council approve the variance request to provide fewer parking spaces than required by the Ordinance with the condition that the number of parking spaces will be at least 24 and to allow the building corner to encroach 15 feet into required rear yard with the following conditions: 1. The lot will never be split; 2. Trees will be planted along rear property line; 3. The new building shall have at least 3 foot high masonry veneer and no metal panels shall be used for siding and roofing'. Upon a roll call vote being taken, the vote was: Aye: 5 Nay: 0. The motion **Carried 5 - 0**

CONSIDER APPROVAL OF TRANSFER OF FUNDS FROM GENERAL FUND TO LIBRARY FUND

Ben Martig, City Administrator, indicated that the City budgeted \$469,614 to fund library operations in 2011. The amount collected from the tax levy and deposited into the Library Fund was \$442,636. The remaining \$26,978 was due to a shortfall in funds received including \$26,616 from the reduction of market value credit and the balance from uncollected tax revenue (delinquency). Staff intended to include the market value credit in the transfer but did not make the amendment with the 2011 audit. The remaining \$362 was due to tax delinquencies and non-allocated tax abatements. The library has special "maintenance of effort" laws that may provide some protections from reductions or also impact increases in any particular year.

Member (**Jennie Hulsizer**) moved, Member (**John DeCramer**) seconded to approve the **ORIGINAL** motion 'to approve transfer of \$26,978 from General Fund Undesignated Reserves to the Library Fund'. Upon a roll call vote being taken, the vote was: Aye: **3** Nay: **2**. The motion **Carried 3 – 2** with Charlie Sanow and Larry Doom voting no.

CONSIDER RESOLUTION AUTHORIZING FOR THE CITY TO APPLY FOR A DEED REDEVELOPMENT GRANT:

Ben Martig, City Administrator, provided a power point presentation on the DEED Redevelopment Grant that is being requested. This grant would be used for the following projects: a. reconstruction of a hard surfaced existing public parking lot that is in poor condition but heavily utilized; b. new construction of a public parking lot in an overflow area that would also open opportunities for new development; c. demolition of blighted buildings to prepare for shovel ready development; d. construction of a paved parking lot to be transferred and costs paid for by a private business in conjunction with commitments for an expanded outdoor patio area with their bar and restaurant; and e. street infrastructure reconstruction to serve water capacity that currently substantially limits re-use of many downtown buildings..

Member (**Larry Doom**) moved, Member (**John DeCramer**) seconded to approve the **ORIGINAL** motion 'to approve RESOLUTION NUMBER 3774, SECOND SERIES, Authorizing the City of Marshall to Apply for a Redevelopment Grant'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried 5 - 0**

DISCUSSION OF THE SALARY AND COMPENSATION OF THE COUNCIL MEMBERS:

Mike Boedigheimer, President Pro-Tem indicated that in accordance with the City of Marshall Charter, Section 2.07, the Mayor and City Councilmember's should discuss salary wage rate increase at the first council meeting in July. Section 2.07. Salaries read as follows: "Salaries of the Councilmember's and Mayor shall be discussed as an agenda items at the first council meeting in July of each year. After said discussion, the council shall set and determine said salaries in accordance with the applicable state law. Mr. Boedigheimer indicated that past practice has been to increase the Mayor and Council Members the same percent that the non-union employees received the preceding year, but they have chosen to not do that for the past few years.

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Doom moved, Sanow seconded, that an ordinance be drafted for the Mayor and Council Members to receive a 2% wage increase effective January 1, 2013 and January 1, 2014, which is the same % increase that the non-union employees received for 2012 and 2013. Ben Martig, City Administrator, indicated that State Statute indicates that the council cannot receive an increase until after the election; therefore this should be considered on a two year basis. Mr. Martig indicated that the council has the right to act on an ordinance increasing the wages for council prior to the election date to be effective the following year. The council would not have to act on this at this time, but have staff draft an ordinance to be considered at a future council meeting. Mr. Martig indicated that there is a motion and second on the table but felt it was important to clarify the process that needs to be followed.

Staff indicated that this was placed on the agenda as an information item, but Mr. Martig indicated that they could consider a motion if they choose to. There was a brief discussion on what the amount should be for a two year period. Dennis Simpson, City Attorney, indicated that the motion is that the Mayor and Council Members will receive the same increase that the non-union employees receive each year.

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

CONSIDER RESOLUTION AUTHORIZING EXECUTION OF MINNESOTA DEPARTMENT OF TRANSPORTATION GRANT AGREEMENT NO. 01755 (S.P. A4201 85) FOR THE PURCHASE OF A UTV FOR THE AIRPORT:

Glenn Olson, Director of Public Works/City Engineer, indicated that the Capital Improvement Program (CIP) for the Airport includes the replacement of an UTV to be utilized for spraying at the Airport. Mn/DOT-Aeronautics funds equipment at a participation rate of 67% State / 33% local. At the July 10, 2012 meeting, the City Council awarded the proposal for a 6x6 UTV for the Airport to Action Sports of Marshall, Minnesota, in the amount of \$12,816.45, including trade-in, contingent upon receipt of Mn/DOT Aeronautics Grant Agreement. The resolution authorizing execution of the grant agreement and the grant agreement have been received from Mn/DOT. Upon receipt of the grant agreement, the trade-in was originally purchased with 70% State / 30% local funds. Therefore, the trade-in credit is allocated at the 70% State / 30% local rate, even though the new purchase is at 67% State / 33% local rate. This results in a slight increase in local cost (\$159.39) due to the 3% additional credit to the State on the trade-in.

Member (**Charlie Sanow**) moved, Member (**Larry Doom**) seconded to approve the **ORIGINAL** motion 'that the Council adopt RESOLUTION 3775, SECOND SERIES, which is the Resolution of Authorization to Execute Mn/DOT Grant Agreement No. 01755 (S.P. A4201 85) for Airport Improvement Excluding Land Acquisition for the purchase of a 6x6 UTV for the Airport'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried 5 - 0**

President Pro-Tem Boedigheimer called for a 5-minute recess at 7:01 P.M.

COUNCIL MEMBER COMMISSION/BOARD LIAISON REPORTS:

Reports by the President Pro-Tem and Council Members of the various Boards and Commissions were presented at this time:

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Hulsizer Human Rights Commission met but they currently do not have enough members for a quorum; Library Board held a budget meeting with the Lyon County Commissioners.

Doom Planning Commission items were acted on earlier in the meeting; Senior Citizen Center Commission meets on July 25th.

Sanow Marshall Area Transit discussed their rates and agreed not to increase the rates.

DeCramer EDA discussed the DEED Redevelopment Grant that is being requested; Utilities Commission items were acted on earlier in the meeting.

Boedigheimer No report.

COUNCILMEMBER INDIVIDUAL ITEMS:

The Marshall Area Senior Center has been re-sided and looks very good. Work is continuing to repair a broken water pipe in the Marshall Area Senior Center.

STAFF REPORTS:

CITY ADMINISTRATOR:

Ben Martig, City Administrator, indicated that Township/City Board of Review Training is being offered for any Council Member whose certification has expired. There will be a Council Work Session on Monday, July 30, 2012 in the Professional Development Room at Marshall Middle School. This agenda includes discussion of the Special Vehicle Ordinance along with a summary of the proposed budget. Ben will be attending the CGMC Summer Conference in Owatonna.

DIRECTOR OF PUBLIC WORKS/CITY ENGINEER:

Glenn Olson, Director of Public Works/City Engineer, indicated that the Yellow Ribbon Signs will be installed soon. The construction projects are progressing. Kossuth Street project will begin as soon as the contracts are executed.

CITY ATTORNEY:

Dennis Simpson, City Attorney, indicated that he is working to finalize the sale of the old Jr. High Property to Trident Development.

PENDING ITEMS:

There were no questions or comments on the pending agenda items.

INFORMATION ONLY:

There were no questions on the information items.

ADJOURN TO CLOSED SESSION:

Member (Charlie Sanow) moved, Member (Larry Doom) seconded to approve the ORIGINAL motion 'to Approve Entering Closed Session related to Attorney-Client Privilege in

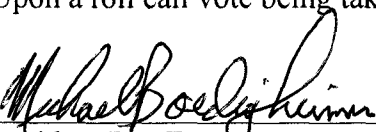
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Accordance with Minn. Stat. § 13D.05, subd. 3(b) related to Brennan Hagert Farm Lease Litigation and another item related to the City Order to Repair or Raze and Remove Hazardous Building - Marshall Hotel 326 W. Main Street'. They went into closed session at 7:13 P.M. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried 5 - 0**

Those present at the closed session included: Boedigheimer, Hulsizer, Doom, Sanow and DeCramer. Staff present included: Ben Martig, City Administrator; Dennis Simpson, City Attorney; Glenn Olson, Director of Public Works/City Engineer; Thomas M. Meulebroeck, Financial Director/City Clerk; and Jane DeVries, Deputy City Clerk.

The Council came out of closed session at 7:29 P.M. and reconvened.

Member (**Charlie Sanow**) moved, Member (**John DeCramer**) seconded to approve the **ORIGINAL** motion 'that the meeting be adjourned'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried 5 - 0**



President Pro-Tem

ATTEST:



Finance Director/City Clerk