

## SPECIAL MEETING – JULY 30, 2013

A special meeting of the Common Council of the City of Marshall was held on July 30, 2013 in the Professional Room at the Marshall Middle School, 401 South Saratoga Street. The meeting was called to order at 5:00 p.m. by Mayor Byrnes. In addition to Byrnes the following members were present: Jennie Hulsizer, Larry Doom, Glenn Bayerkohler, John DeCramer, Mike Boedigheimer and Ellayne Conyers. Absent: none. Staff present included: Ben Martig, City Administrator; Dennis Simpson, City Attorney; Glenn Olson, Director of Public Works/City Engineer; Cathy Lee, Executive Assistant; Scott VanMoer, Liquor Store Manager; Thomas M. Meulebroeck, Finance Director/City Clerk; and Jane DeVries, Deputy City Clerk, Cal Brink, CEO Marshall Area Chamber of Commerce.

### **APPROVAL OF AGENDA:**

It was the general consensus that the agenda be approved as presented.

### **ADJOURN TO CLOSED MEETING:**

Member (**Larry Doom**) moved, Member (**Mike Boedigheimer**) seconded to approve the **ORIGINAL** motion 'to close the meeting for purposes of discussion on the acquisition of Outlot C, JC Boyer Addition.' Upon a roll call vote being taken, the vote was: Aye: (**7**) Nay: (**0**). The motion **Carried 7 - 0**

The City Council went into closed session at 5:02 P.M. Those present at the closed session included: Byrnes, Hulsizer, Doom, Bayerkohler, DeCramer, Boedigheimer and Conyers. Staff present included: Ben Martig, City Administrator; Glenn Olson, Director of Public Works/City Engineer; Dennis Simpson, City Attorney; Scott VanMoer, Liquor Store Manager; and Thomas M. Meulebroeck, Finance Director/City Clerk.

The City Council came out of closed session at 5:08 P.M.

The City Council received the offers and counter offers for the acquisition of Outlot C, JC Boyer Addition which is being considered for the relocation of the existing Off-Sale Municipal Liquor Store.

Member (**John DeCramer**) moved, Member (**Larry Doom**) seconded to approve the **ORIGINAL** motion 'approve purchase of Outlot C, JC Boyer Addition in the amount of \$205,000 for the relocation of the Municipal Liquor Store'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **1** Abstain: **1**. The motion **Passed 5 – 1 – 1**, with Bayerkohler voting no and Boedigheimer abstaining.

### **PROJECT Z16: EAST REDWOOD STREET PEDESTRIAN BRIDGE PROJECT -- (1) RESOLUTION DECLARING OFFICIAL INTENT REGARDING THE REIMBURSEMENT OF EXPENDITURES WITH THE PROCEEDS OF TAX-EXEMPT BONDS. (2) CONSIDER AWARD OF PROPOSAL.**

Glenn Olson, Director of Public Works/Engineer reviewed the Capital Projects Fund budget which includes the replacement of one pedestrian walk bridge. The project consists of one contract for the supply and delivery of the bridge at East Redwood Street and a separate contract for the installation of two abutments, connecting sidewalks and miscellaneous items to complete the project. It has been determined that the abutments were not eligible for funding with proceeds from tax-exempt bonds, but the walk bridge structures themselves are eligible. In order to allow

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the bridge to be funded by these tax-exempt bonds, this resolution is necessary prior to the award of the proposal for the walk bridge. Proposals were received for the construction and delivery of the pedestrian walk bridge for this site. The City must provide the construction of the abutments and the crane costs for unloading and placement of the bridge after delivery. This will be done under separate contract.

Proposal were received, opened and read from:

Contech Engineered Solutions  
Shakopee, Minnesota  
\$29,374.00

Wheeler  
Bloomington, Minnesota  
\$40,200.00

Member (**Mike Boedigheimer**) moved, Member (**Larry Doom**) seconded to approve the **ORIGINAL** motion 'that the Council adopt RESOLUTION NUMBER 3915, SECOND SERIES, which is the Resolution Declaring Official Intent Regarding the Reimbursement of Expenditures with the Proceeds of Tax-Exempt Bonds for the Pedestrian Walk Bridge at East Redwood Street'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried. 7 - 0**

Member (**Larry Doom**) moved, Member (**Mike Boedigheimer**) seconded to approve the **NEW** motion 'that the Council award the proposal for the pedestrian walk bridge to Contech Engineered Solutions of Shakopee, Minnesota, in the amount of \$29,374.00 for the East Redwood Street Walk Bridge Replacement Project'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried. 7 - 0**

**PROJECT Z06: VICTORY DRIVE IMPROVEMENT PROJECT-PHASE I -- (1) CONSIDER RESOLUTION DECLARING OFFICIAL INTENT REGARDING THE REIMBURSEMENT OF EXPENDITURES WITH THE PROCEEDS OF TAX-EXEMPT BONDS. (2) CONSIDER RESOLUTION ACCEPTING BID (AWARD CONTRACT).**

Glenn Olson, Director of Public Works/Engineering reviewed Victory Drive Improvement Project Phase I Project Z06. This project has been divided into two phases to allow construction of the deep sanitary sewer main and watermain in the areas that would impact the construction of the SMASC ball fields. This will also allow any settlements of the deep sanitary sewer trench prior to the construction of Victory Drive. Phase I of this project involves the construction of sanitary sewer from the existing trunk sanitary main adjacent to T.H. 23 to the east city limits and watermain on Victory Drive from just east of Tiger Drive to just north of Commencement Boulevard. On July 25, 2013, bids were received for the above referenced project. The above referenced project, or a portion thereof, may be financed by the sale of bonds with repayment coming from assessments and/or debt service levy.

The bids that were received, opened and read on July 25, 2013 were from:

H&W Contracting, LLC  
Sioux Falls, South Dakota  
\$472,630.00

R&G Construction Company  
Marshall, Minnesota  
\$487,332.00

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Kuechle Underground, Inc.  
Kimball, Minnesota  
\$522,370.00

GM Contracting Inc.  
Lake Crystal, Minnesota  
\$564,274.43

Duininck, Inc.  
Prinsburg, Minnesota  
\$770,915.95

Member (**John DeCramer**) moved, Member (**Larry Doom**) seconded to approve the **ORIGINAL** motion 'that the Council adopt RESOLUTION NUMBER 3916, SECOND SERIES, which provides for Declaring Official Intent Regarding the Reimbursement of Expenditures with the Proceeds of Tax-Exempt Bonds for Project Z06: Victory Drive Improvement Project-Phase I.'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried. 7 - 0**

Member (**Larry Doom**) moved, Member (**John DeCramer**) seconded to approve the **NEW** motion 'that the Council adopt RESOLUTION NUMBER 3917, SECOND SERIES, which provides for the Resolution Accepting Bid (Awarding Contract) authorizing entering into an agreement with H&W Contracting, LLC of Sioux Falls, South Dakota, in the amount of \$472,630.00 for Project Z06: Victory Drive Improvement Project-Phase I.'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried. 7 - 0**

Member (**Ellayne Conyers**) moved, Member (**John DeCramer**) seconded to approve the **NEW** motion 'that the Council authorize payment of permit applications as follows: MPCA Stormwater Permit \$400.00, MPCA Sanitary Sewer Extension Permit \$620.00, Minnesota Department of Health Watermain Extension Permit \$150.00. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried. 7 - 0**

**PROJECT Z04/S.P. 139-090-004: 2013 BIKE TRAIL PROJECT (CLARICE AVENUE TO T.H. 19) -- (1) CONSIDER RESOLUTION DECLARING OFFICIAL INTENT REGARDING THE REIMBURSEMENT OF EXPENDITURES WITH THE PROCEEDS OF TAX-EXEMPT BONDS. (2) CONSIDER RESOLUTION ACCEPTING BID (AWARD CONTRACT).**

Glenn Olson, Director of Public Works/Engineering reviewed the 2013 Bike Trail Project, Project Z04. This project involves the construction of a 0.92 mile segment of a multi use trail. The improvements shall consist of a bituminous pavement constructed over a granular base. The majority of the trail shall be constructed 10 feet wide with a minimum of a 2 foot safety shoulder on both sides. There are minor areas where the route requires a reduction in the trail width to 8 feet. This project was placed in the Mn/DOT Safety Transportation Improvement Projects (STIP) in 2008 with a placeholder estimated construction cost of \$261,000. The project had been included in the cost breakdown for the 2013 bonding. After review, the project was designated to be funded from remaining funds from the 2010 Public Improvement Bond. As the project is included in the STIP, the Mn/DOT participating funding is capped at \$175,000. The STIP does not allow contingencies nor engineering and administration as part of the eligible project budget. The above referenced project, or a portion thereof, may be financed by the sale of bonds.

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The bids that were received, opened and read on July 24, 2013 were from:

D&G Excavating, Inc.  
Marshall, Minnesota  
\$266,807.25

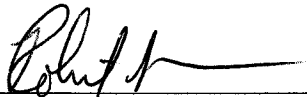
McLaughlin & Schulz, Inc.  
Marshall, Minnesota  
\$270,629.45

Duininck, Inc.  
Prinsburg, Minnesota  
\$276,240.05

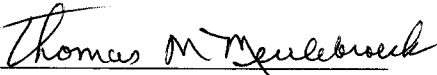
Member (**Larry Doom**) moved, Member (**Mike Boedigheimer**) seconded to approve the **ORIGINAL** motion 'that the Council adopt RESOLUTION NUMBER 3918, SECOND SERIES, which provides for Declaring Official Intent Regarding the Reimbursement of Expenditures with the Proceeds of Tax-Exempt Bonds for Project Z04/S.P. 139-090-004: 2013 Bike Trail Project (Clarice Avenue to T.H. 19)'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried. 7 - 0**

Member (**John DeCramer**) Moved, Member (**Larry Doom**) seconded to approve the **NEW** motion 'that the Council adopt RESOLUTION NUMBER 3919, which provides for the Resolution Accepting Bid (Awarding Contract) authorizing entering into an agreement with D&G Excavating, Inc. of Marshall, Minnesota, in the amount of \$266,807.25 for Project Z04/S.P. 139-090-004: 2013 Bike Trail Project (Clarice Avenue to T.H. 19)'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried. 7 - 0**

Member (**Larry Doom**) moved, Member (**John DeCramer**) seconded to approve the **ORIGINAL** motion 'adjourn meeting'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried. 7 - 0**

  
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Mayor of the City of Marshall

ATTEST:

  
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Financial Director/City Clerk