

REGULAR MEETING – NOVEMBER 10, 2014

The regular meeting of the Common Council of the City of Marshall was held on November 10, 2014 in the Professional Development 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 in attendance: Ellayne Conyers, Larry Doom, Craig Schafer, Glenn Bayerkohler and Mike Boedigheimer. John DeCramer arrived at 6:48 P.M. Absent: none. Staff present included: Ben Martig, City Administrator; Dennis Simpson, City Attorney; Glenn Olson, Director of Public Works/City Engineer; Harry Weilage, Director of Community Services; Barb Lipinski, Director of Senior Citizen Center; Jane DeVries, Deputy City Clerk and Thomas M. Meulebroeck, Finance Director/City Clerk. Rob Yant, Director of Public Safety, arrived late.

The Pledge of Allegiance was recited at this time.

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

MAYOR'S PROCLAMATION WELCOMING FOREIGN EXCHANGE STUDENT:

Mayor Byrnes welcomed the following Foreign Exchange Students for the 2014/2015 school year:

Zsofi Papp from Hungary
Fabrizio Marasco from Italy
Stefanie Janke from Germany
Noemi Pozza from Italy
Cristina (Cris) Galan Sanz from Spain

CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR MEETING HELD ON OCTOBER 28, 2014, AND THE MINUTES OF THE WORK SESSION HELD ON OCTOBER 28, 2014:

Member (**Mike Boedigheimer**) moved, Member (**Larry Doom**) seconded to approve the **ORIGINAL** motion 'that the minutes of the regular meeting held on October 28, 2014 and the minutes of the work session held on October 28, 2014 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 Abstain: 1. The motion **Passed 5 – 0 – 1**, with Bayerkohler abstaining.

PUBLIC HEARING CONSIDERATION OF APPROVAL OF THE OFFICIAL LOCATION OF THE CONVENTION AND VISITORS BUREAU FROM 317 WEST MAIN STREET TO 118 WEST COLLEGE DRIVE:

This was the date and time set for a public hearing to consider the official location of the Convention and Visitors Bureau. Ben Martig, City Administrator, indicated that the City of Marshall has granted the creation of the Convention and Visitors Bureau (CVB) authority to exist to promote Marshall as a tourist and visitor destination in accordance with State Statutes. The CVB is a separate legal entity but its governance is established and required in City Code. The operation is funded with a 3% lodging tax that is overseen by their board of directors. The CVB currently contracts with the Chamber of Commerce for the staffing of administration for their organization. The City Code does have a provision that requires the City Council approval of the location following a public hearing. The intent was to ensure that an appropriate location of the Convention and Visitors Bureau including accessibility, visibility and maintenance of partnership with similar organizations. The Chamber of Commerce has outgrown its facility at

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317 West Main Street with their current staffing levels. The organization has been looking at the relocation for over a year. The Marshall Area Chamber of Commerce Executive Director Cal Brink has indicated the new location will be leased on an annual basis for a similar rate to their current arrangement. The building at 317 W. Main is owned by the Schwan Food Company as is the current location. The benefits of the new facility include additional space, dedicated parking, and close proximity to the downtown. The Chamber of Commerce Board of Directors have approved the lease which begins November 17, 2014 at the new location. City staff believes the arrangement is consistent with the intent of the requirement of the Code provision. The request would have been brought forward sooner for review; however, Director Brink was not aware of the provision requiring Council authorization. He is unable to attend the Council meeting as it is the Chamber's Taste of Marshall and Chamber annual meeting event from 5 p.m. to 8 p.m. this Monday.

Council Member Bayerkohler asked if other rental property downtown was considered. Martig indicated that the Chamber conducted the search and that they did consider other options.

Member (**Larry Doom**) moved, Member (**Mike Boedigheimer**) seconded to approve the **ORIGINAL** motion 'to close the public hearing'. Upon a roll call vote being taken, the vote was: Aye: **6** Nay: **0**. The motion **Carried 6 - 0**

Member (**Larry Doom**) moved, Member (**Mike Boedigheimer**) seconded to approve the **NEW** motion 'to approve the official location of the Convention and Visitors Bureau from 317 West Main Street to 118 West College Drive'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **1**. The motion **Passed 5 – 1**, with Bayerkohler voting no.

AWARD OF BIDS PROJECT Z34: BLOCK 11 SIDEWALK AND PARKING LOT IMPROVEMENT PROJECT – CONSIDER RESOLUTION ACCEPTING BID (AWARDING CONTRACT):

Glenn Olson, Director of Public Works/City Engineer, reviewed Block 11 Sidewalk and Parking Lot Improvement Project Z34. This project includes reconstruction of parking lot, driveways, sidewalks and miscellaneous items to the property abutting West Main Street from East College Drive to the east line of the existing City owned parking lot. The intent of the project is for the City to complete improvements on the City-owned parking lot, as well as replacement driveways and sidewalk work. These improvements will be special assessed to the currently City-owned parking lot property. Subsequently, by agreement, all costs associated with these improvements will be transferred to the new owner. On November 4, 2014, bids were received, opened and read from:

D & G Excavating, Inc.
Marshall, Minnesota
\$123,138.15

McLaughlin & Schulz, Inc.
Marshall, Minnesota
\$132,183.75

Member (**Craig Schafer**) moved, Member (**Larry Doom**) seconded to approve the **ORIGINAL** motion 'that the Council adopt RESOLUTION NUMBER 4090, SECOND SERIES, which provides for the Resolution Accepting Bid (Awarding Contract) and authorizing entering into an agreement with D&G Excavating, Inc. of Marshall, Minnesota, in the amount of \$123,138.15 for

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Project Z34: Block 11 Sidewalk and Parking Lot Improvement Project'. Upon a roll call vote being taken, the vote was: Aye: 6 Nay: 0. The motion **Carried 6 - 0**

CONSIDER APPROVAL OF CONSENT AGENDA:

Member (**Craig Schafer**) moved, Member (**Larry Doom**) seconded to approve the **ORIGINAL** motion 'that the following consent agenda items be approved as presented'. Upon a roll call vote being taken, the vote was: Aye: 6 Nay: 0. The motion **Carried 6 - 0**

The proper city personnel be authorized to advertise for bids for refuse disposal for the period from January 1, 2015 until December 31, 2016 for various City owned locations to be received at 10:00 A.M. on November 24, 2014.

The approval of Change Order No. 1 (Final) with Rough Country Excavating of Russell, Minnesota, resulting in a contract decrease in the amount of \$689.80 and acknowledgement of Final Pay Request (No. 3) in the amount of \$2,241.64 for the East Redwood Pedestrian Walk Bridge Project Z16.

The approval of a Temporary On-Sale Liquor License for the Friends of the Orchestra LTD to use on December 17, 2014 at Holy Redeemer Church, 503 West Lyon Street, Marshall, Minnesota.

The adoption of RESOLUTION NUMBER 4091, SECOND SERIES, which is a resolution Certifying Special Assessment for Abatement of Hazardous Building at 620 West Main Street.

Approval of the agreement with Marshall Area Senior Citizens, Inc. for the Adult Community Center Rental. This agreement is for the period January 1, 2015 through December 31, 2015 at the rate of \$550.00 per month for M.A.S.C. to rent space at the Adult Community Center.

Approval of the agreement with Lutheran Social Services for the Senior Nutrition Program. This agreement is for the period January 1, 2015 through December 31, 2015 and provides for the City to be reimbursed 20 cents per meal prepared at the Adult Community Center.

That the following bills and project payments be authorized for payment ACCOUNTS PAYABLE, Voucher No. 91235 through 91369.

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CANVAS ELECTION RESULTS FOR COUNCIL MEMBERS:

Thomas M. Meulebroeck, Finance Director/City Clerk, indicated that the City Council was acting as the Canvassing Board to review the results of the November 4, 2014 General Election. The election results provided were as follows:

	Persons Registered as of 7:00 A.M.	Persons Registered on Election Day
Ward One	2,157	140
Ward Two	2,420	78
Ward Three	<u>1,997</u>	<u>86</u>
TOTAL	6,574	304

The summary of the votes cast for the Council Members were as follows:

	Ward One	Ward Two	Ward Three	Total
John DeCramer	961			961
David Bero		591		591
David E. Sturrock		798		798
Craig Schaefer			1,032	1,032
Write In Votes	<u>12</u>	<u>13</u>	<u>20</u>	<u>45</u>
TOTAL VOTES	973	1,402	1,052	3,427

Member (**Larry Doom**) moved, Member (**Ellayne Conyers**) seconded to approve the **ORIGINAL** motion 'that John DeCramer be declared duly elected as Council Member for Ward One; that David Sturrock be declared duly elected as Council Member for Ward Two and that Craig Schaefer be declared duly elected as Council Member for Ward Three and that the term of all these elected positions is four years, January 13, 2105 to January 7, 2019'. Upon a roll call vote being taken, the vote was: Aye: 6 Nay: 0. The motion **Carried 6 - 0**

CONSIDER AND ADOPT RESOLUTION REGARDING APPROVAL OF FIXED BASED OPERATOR'S (FBO) AGREEMENT AND COMMERCIAL LEASE BETWEEN CITY OF MARSHALL AND SOUTHWEST AVIATION, INC. DOING BUSINESS AS MIDWEST AVIATION.

Dennis Simpson, City Attorney, indicated that the City of Marshall has had an ongoing and successful business arrangement with current Fixed Base Operator Southwest Aviation, Inc. doing business as Midwest Aviation. The present ten year FBO lease was effective through 12/31/2013, and has been carried forward for 2014 based upon the terms as previously established. Staff has worked with Pete Johnson from Southwest Aviation, Inc. and has renegotiated the FBO lease for the next ten year period of time. Continuing discussions and negotiations have revolved around description of the premises that will be leased as well as the monthly rental for the property. Parcel F (the repair and maintenance shop) will no longer be leased by the FBO and Parcel M (Red Baron Hangar) will be leased by the FBO. The monthly rental for FBO lease will be \$5,500 per month. Annual adjustments to that monthly lease payment will be based upon the Consumer Price Index.

Member (**Mike Boedigheimer**) moved, Member (**Craig Schafer**) seconded to approve the **ORIGINAL** motion 'that the Council adopt RESOLUTION NUMBER 4092, SECOND SEREIS, which is a resolution authorizing the proper City Officials to Execute the Fixed Base Operator's Agreement and Commercial Lease between the City of Marshall and Southwest Aviation, Inc. doing business as Midwest Aviation'. The monthly rental for the FBO Lease will be \$5,500 per month and adjusted annually based on the Consumer Price Index. Upon a roll call vote being taken, the vote was: Aye: **6** Nay: **0**. The motion **Carried 6 - 0**

PICTOMETRY PAYMENT AGREEMENT FOR AERIAL PHOTOGRAPHY SERVICES:

Glenn Olson, Director of Public Works/City Engineer, indicated that Pictometry is the City's aerial photographer that combines the aerial photography with a computer modeling that allows the City to use the aerial photos for design and information purposes. The program is used by Engineering, Building Inspection and Assessing. The total cost of the service for Lyon County, MMU and the City of Marshall is \$75,188.25 for the first project and \$93,760.75 for the second project. The separation of the project costs is generally as follows: • Lyon County pays for 2/3 of the base Pictometry Contract. • MMU and the City of Marshall each pay for 1/6 of the base Pictometry Contract. • MMU and the City of Marshall each pay 1/2 of the cost for an additional 20 sector tiles around the City of Marshall. • MMU will pay for the cost of Enhanced Compression Wavelet (ECW) air photos. • MMU and the City of Marshall will each be in control of a minimum of 10 Pictometry Connect licenses. • Lyon County will be in control of a minimum of 30 Pictometry Connect licenses. The City's total responsibility for the first project (Flight One) is \$14,920.72, the total responsibility for the second project (Flight Two) is \$18,316.13. These amounts will be paid annually over the next 6 years at a cost of under \$6,000/year. The overall project agreement is between Pictometry and Lyon County, with the City having a separate Payment Contract with Pictometry for the City's portion of the services.

Member (**Larry Doom**) moved, Member (**Mike Boedigheimer**) seconded to approve the **ORIGINAL** motion 'that the proper City officials be authorized to execute the Payment Agreement Contract with Pictometry International Corp'. The City's total responsibility for the first project (Flight One) is \$14,920.71, the total responsibility for the second project (Flight Two) is \$18,316.13. These amounts will be paid annually over the next 6 years at a cost of under \$6,000/year. Upon a roll call vote being taken, the vote was: Aye: **6** Nay: **0**. The motion **Carried 6 - 0**

CONSIDER FEE RESOLUTION AMENDMENT FOR 2015:

Member (**Mike Boedigheimer**) moved, Member (**Larry Doom**) seconded to approve the **ORIGINAL** motion 'that the Council adopt RESOLUTION NUMBER 4093, SECOND SERIES, which is a resolution amending the fee schedule for the City of Marshall effective January 1, 2015'. Upon a roll call vote being taken, the vote was: Aye: **6** Nay: **0**. The motion **Carried 6 - 0**

Be it noted the arrival of Council Member DeCramer.

CONSIDER BUILDING INSPECTIONS DEPARTMENT REVIEW WITH SPRINGSTED, INC:

Ben Martig, City Administrator, reviewed the proposed agreement with Springsted, Inc., for the Building Inspections Department Review. The proposal is for a total of \$8,000 plus expenses not to exceed \$1,000. Staff believes the study is valuable and worthy to complete yet this year. The costs are higher than were anticipated so staff is reviewing alternative options and reviewing finances. Staff reviewed the proposal with the consultant Mr. David Unmacht, Springsted Inc., and Mr. Unmacht agreed that the pre-phase 1 preparation of interviews would be taking place in November. The interviews under Phase 1 would occur in November and Phase 2, analyze information and develop findings would be completed in December/January with the final Phase 3, preparing a report, in January. The report will include a City Council presentation within the proposal, tentatively January 27. Mr. Unmacht also clarified this would be a 2015 billing. Therefore, staff would include the cost of this project within the final 2015 budget adoption. Approving the contract would obligate the City Council to budget for the expense.

City Administrator Martig is recommending to complete an independent review of its Building Inspections Department to include an analysis of the permitting process and level of customer service. There have been a number of changes in the process in conjunction with the new electronic permitting software. Additionally, staff feels it is timely to conduct an overall survey of customer service for the inspections. The detailed questions would be developed in conjunction with the Director of Public Works, Building Official, and the consultant. City Administrator Martig would have the final approval of the content and breathe of the questions with the consultant. Mr. Unmacht has experience in conducting similar studies.

Council Member Bayerkohler asked if staff considered using a less-costly local alternative for gathering customer service information, like the Southwest Marketing Advisory Center at SMSU. Mr. Martig indicated that the review would require some specialized topics, such as the state building codes.

Council Member Schafer indicated that during his short time on the council he has received several questions and concerns about the Building Inspection Department. Council Member Doom agreed that the consultant was the correct choice.

Member (Mike Boedigheimer) moved, Member (Larry Doom) seconded to approve the ORIGINAL motion 'to approve the Building Inspections Department Review with Springsted, Inc. for completion planned for January 2015 and billing thereafter'. Upon a roll call vote being taken, the vote was: Aye: 6 Nay: 1. The motion Passed 6 – 1, with Bayerkohler voting no.

REVIEW, APPROVE AND AUTHORIZE PROPER CITY OFFICIALS TO ENTER INTO PURCHASE AGREEMENT REGARDING REAL PROPERTY LOCATED AT SOUTH 8TH STREET BETWEEN RALCO NUTRITION AND CITY OF MARSHALL:

Ben Martig, City Administrator and Dennis Simpson, City Attorney, indicated that the City of Marshall has reviewed various proposals for the acquisition of property or the construction of property to house City vehicles and to house vehicles confiscated or impounded by Marshall Police Department. An opportunity has risen for the City to acquire property presently used by Ralco located at S. 8th Street. The location of the building is very close to the Law Enforcement

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Center. City staff has viewed the property and have had discussions with various company officials regarding the timing for the acquisition of the property. The parties have negotiated the price and terms for the acquisition of the property. Total acquisition of the property is \$540,000. Earnest money of \$10,000 is due upon execution of the agreement. \$290,000 is due on or before June 1, 2015, the date on which the parties enter into the contract for deed for purchase of property. The final \$240,000 is due on the earlier of November 15, 2016 or upon Ralco vacating the building and moving their existing business operations to another site. No additional interest will accrue against the unpaid balance on the contract for deed. However, the City does allow Ralco to use the "north half" of the building, rent free, until Nov. 15, 2016 at the latest. Final payment is due at that time. Terms of this agreement have been reviewed by representatives of Ralco/Knochenmus Enterprises and by their legal counsel.

Member (**Larry Doom**) moved, Member (**Ellayne Conyers**) seconded to approve the **ORIGINAL** motion 'that the proper City Personnel be authorized to enter into a Purchase Agreement regarding real property located at South 8th Street between Ralco Nutrition and the City of Marshall'. The purchase price and terms are addressed in the agreement. Upon a roll call vote being taken, the vote was: Aye: 6 Nay: 0 Abstain: 1. The motion **Passed 6 - 0 -1**, with Boedigheimer abstaining.

CONSIDER APPROVAL OF FARM LEASES FOR CITY OWNED PROPERTY FOR FARMING YEARS 2015-2017. AUTHORIZE CITY STAFF TO PROCEED WITH PREPARATION OF LEASES. AUTHORIZE MAYOR AND CITY CLERK TO SIGN ALL LEASES ON BEHALF OF THE CITY OF MARSHALL:

Dennis Simpson, City Attorney, indicated that the City of Marshall owns a number of parcels of property that are capable of being placed in agricultural production. It has been the City's policy to lease those parcels of property for 3 year periods of time. The current lease period was for the period of time 2012-2014. All current tenants were offered the opportunity to extend the current leases for an additional three year period of time with the same terms and conditions. Several tenants chose to extend lease on current terms and conditions. Those parcels that were not renewed, however, were offered for a three year lease on a public bidding process. On Wednesday, November 5, 2014, the written lease offers were received from prospective tenants. Bidders were offered the opportunity to increase their bids. Bidding process has been concluded and City Attorney's office and City Clerk's office are now prepared to enter into formal three year lease agreements with successful bidders. The following chart shows the name of the renewing or successful bidding tenants. The chart does show size of each parcel and the bid per acre as accepted.

Tenant	Parcel #/Description	Acres	Price/Acre	Renew/Bid
Mike Mortier	1 Airport	14 acres	\$180.00	Renew
	11 Airport	54.41 acres	\$180.00	Renew
	15 Airport	1.97 acres	\$180.00	Renew
Paul Deutz	2 N. of University	9.47 acres	\$140.00	Renew for 1 yr.
	3 CANCELLED			
	4 CANCELLED			

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Paul Wambeke	5 Airport	118.4 acres	\$263.00	Renew
	6 Wastewater	84.9 acres	\$76.00	Renew
	7 Parkway III	16.1 acres	\$225.00	Bid
	8 Parkway IV	30.15 acres	\$225.00	Bid
	9 N. of Truss Plant	9.59 acres	\$225.00	Bid
Ron Verly	10 Airport	2.11 acres	\$100.00	Renew
Mike Mortier	12 DeRuyck	152.4 acres	\$185.00	Renew
	13 CANCELLED			
E. Bossuyt Family Farms	14 Mosch/Bladholm	42.9 acres	\$225.00	Bid
	16 Mosch/Bladholm	3 acres		No bids and no renewal

Member (**Larry Doom**) moved, Member (**Mike Boedigheimer**) seconded to approve the **ORIGINAL** motion 'that the Farm Leases be awarded for three years beginning January 1, 2015 through December 31, 2017 and authorize the proper city officials to sign all leases on behalf of the City of Marshall'. The rent for these farm leases is due by March 15th of each year. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried 7 - 0**

Mayor Byrnes called for a 5-minute recess at 7:08 P.M.

CONSIDER APPOINTMENTS TO COMMUNITY SERVICES ADVISORY BOARD:

Per the recommendation of Mayor Byrnes, Member (**Mike Boedigheimer**) moved, Member (**Larry Doom**) seconded to approve the **ORIGINAL** motion 'approval of appointments to the Community Services Advisory Board'. Marshall School Board will review these recommendations for approval on November 17, 2014. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried 7 - 0**

Community Services Advisory Board – Gustavo Estrada be appointed for an unexpired term to expire on February 28, 2017.

Community Services Advisory Board – Becky Riess be appointed for an unexpired term to expire on February 28, 2016.

COMMISSION/BOARD LIAISON REPORTS:

Byrnes Regional Development Commission will be meeting this week; SW MN Amateur Sports Center will met on November 12th.

Schafer Library Board met last week with Plum Creek Board. The members re-signed the contract with Plum Creek.

Doom Personnel Committee met last week – they reviewed the employee cell phone usage.

Bayerkohler Housing Commission did not have a quorum.

DeCramer No report.

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Boedigheimer Airport Commission met.

Conyers Community Services Advisory Board cancelled their meeting.

COUNCILMEMBERS INDIVIDUAL ITEMS:

Council Member Schafer was concerned with snowmobiles using the bike trail. He was also concerned with enforcing snow removal on sidewalks and asked about snow fence along the West side of US Bank. Council Member Conyers indicated that the Alzheimer's Association will be holding a meeting in Marshall for Firemen and Police Officers on how to deal with people with Alzheimer's.

CITY ADMINISTRATOR:

Ben Martig, City Administrator, reviewed a petition for stop signs on Southview and 4th Street. He indicated that residents want quiet areas along the bike trails. There will be a meeting on Wednesday to discuss the sport center and ball fields; and there will be a budget meeting on November 18th.

DIRECTOR OF PUBLIC WORKS:

Glenn Olson, Director of Public Works/City Engineer, indicated that the Main Street project is still being worked on, they are working on water service lines to the residents. He indicated that the project will shut down soon due to the weather. The detour should be removed on Wednesday or Thursday. He briefly reviewed the snow removal process for streets and sidewalks. All snow removal issues should be directed to the Engineer Department. The dirt work for the new Liquor Store will begin on Tuesday, November 11, 2014; not sure if the sand will be put down for the ball fields; the sports facility project is ready for next spring construction and the MERIT Center project will start next spring. There will be a pre-bid meeting for the MERIT Center on November 12th.

CITY ATTORNEY:

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

PENDING ITEMS:

There were no questions on the pending items.

INFORMATION ONLY:

There were no questions on the information items.

**CONSIDERATION TO MOVE TO CLOSED SESSION TO DISCUSS ATTORNEY
CLIENT PRIVILEGE:**

Member (Larry Doom) moved, Member (John DeCramer) seconded to approve the ORIGINAL motion 'to approve entering closed session to discuss Attorney Client Privilege'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion Carried 7 - 0

The Council went into closed session at 7:45 P.M. pursuant to Attorney Client Privilege to discuss a court order relating to special assessments. Those present at the closed session included: Byrnes, Schafer, Doom, Bayerkohler, Boedigheimer, DeCramer and Conyers. Staff

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present included: Ben Martig, City Administrator; Dennis Simpson, City Attorney; Glenn Olson, Director of Public Works/City Engineer and Thomas M. Meulebroeck, Finance Director/City Clerk. The council came out of closed session at 8:00 P.M.

**RECONVENE TO REGULAR MEETING CONSIDERATION OF RESOLUTION
ABATING SPECIAL ASSESSMENT:**

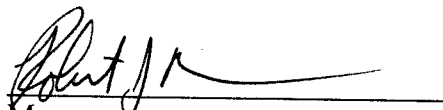
Dennis Simpson, City Attorney, indicated that the City of Marshall completed reconstruction Project Z01 W. Redwood/N. 3rd St./W. Marshall Street and special assessments were levied against residential and commercial property located within the project district. Property owner Lowell Matthys was assessed in the amount of \$14,138.83 for the property located at 308 3rd Street North. Property owner perfected the appeal and did challenge the special assessment as levied on the property. A court trial was held and the District Court Judge Michelle Dietrich did issue her order. The order did set aside the special assessment as levied. Therefore, this matter is brought to City Council attention for resolution setting aside the special assessment pursuant to court order. City Administrator Ben Martig, City Clerk Tom Meulebroeck and Dennis Simpson have had discussions with Lyon County Auditor/Treasurer EJ Moberg regarding this matter. Mr. Moberg has indicated that the County would honor a resolution from Marshall City Council setting aside the special assessment and all special assessment funds as paid by property owner Lowell Matthys would be refunded by the City.

Member (**Craig Schafer**) moved, Member (**John DeCramer**) seconded to approve the **ORIGINAL** motion 'that the Council adopt RESOLUTION NUMER 4094, SECOND SERIES, which is a resolution Authorizing that Special Assessments be set aside for property located at 308 3rd Street North, Marshall, Minnesota'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried 7 - 0**

UPCOMING MEETINGS:

There were no questions on the upcoming meeting list.

Member (**Larry Doom**) 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: 7 Nay: 0. The motion **Carried 7 - 0**



Mayor

ATTEST:



Finance Director/City Clerk