

REGULAR MEETING – AUGUST 11, 2015

The regular meeting of the Common Council of the City of Marshall was held August 11, 2015 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, David Sturrock, John DeCramer, Glenn Bayerkohler, Larry Doom and Craig Schafer. Absent: none. Staff present included: Ben Martig, City Administrator; Dennis Simpson, City Attorney; Glenn Olson, Public Works Director/City Engineer; Harry Weilage, Director of Community Services; Preston Stensrud, Parks Supervisor; Bob Van Moer, Wastewater Superintendent; Jane DeVries, Deputy City Clerk and Thomas M. Meulebroeck, Finance Director/City Clerk.

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 presented.

CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR MEETING HELD ON JULY 28, 2015:

Member (Larry Doom) moved, Member (Ellayne Conyers) seconded to approve the SUBSTITUTE motion 'that the minutes of the regular meeting held on July 28, 2015 be approved as corrected and that the reading of the same be waived'. Upon a roll call vote being taken, the vote was: Aye: 6 Nay: 0 Abstain: 1. The motion Passed 6 – 0 – 1 with DeCramer abstaining.

CONSIDERATION OF ACQUISITION OF EXTERIOR SIGNAGE FOR NEW MUNICIPAL LIQUOR STORE:

Ben Martig, City Administrator, indicated that staff has requested signage proposals for the new Municipal Liquor Store exterior signage at the corner of Boyer Drive and Margaret Avenue. The last proposal was received at the end of the business day on Monday, August 10th. Staff has been analyzing the proposals since this time. There was no estimate on the cost of the signs and general direction given on the type and signs desired. The on-building signage and monument sign at the corner of Boyer and Margaret are priorities and recommended to proceed with this project. Staff did also request proposals for a pylon sign at the south end of the property in preparation of the new access off of Windstar that could generate traffic as well as for visibility for traffic northbound on Highway 59 coming into Marshall.

Upon review, staff is recommending to proceed with the purchase of the Awards Plus monument sign only. This sign has a double sided backlit logo with 1-sided LED message board to be facing west. The LED board will allow for some advertising of specials as well as tasting events. The intent for the new store is not to have any temporary banners on the exterior but rather to utilize the LED. There is significant traffic that would face the sign from the other direction but due to the cost staff is not recommending a 2-sided sign. Western Printing does have a comparable quote that is a slightly larger sign but is slightly higher in price.

Staff is not recommending to proceed with the pylon sign at this time due to cost in relation to the project budget. Staff will be adding this into the 5-year capital improvement plan to be presented with the 2016 budget review.

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Staff has reviewed the on-building signs and are not recommending to proceed with any options at this time. Upon review with the sign companies the preferred option is to have solid metal letters backlit with LED. The RFP left it open and through the process of receiving feedback from both companies this is the preferred final option. Staff has drafted a new RFP and are working to finalize the details to be submitted.

The exterior monument sign will take 60-90 days to deliver so staff is recommending taking action this Tuesday evening.

Member (**Larry Doom**) moved, Member (**David Sturrock**) seconded to approve the **ORIGINAL** motion 'to approve custom monument sign from Awards Plus with 2-sided aged stucco finish, direct burial installation with LED Matrix Display in the amount of \$36,645.00 and located at the corner of Boyer Drive and Margaret Avenue'. Upon a roll call vote being taken, the vote was: Aye: **6** Nay: **1**. The motion **Passed 6 – 1**, with Bayerkohler voting no.

Member (**John DeCramer**) moved, Member (**Craig Schafer**) seconded to approve the **NEW** motion 'to reject all other proposals received'. Upon a roll call vote being taken, the vote was: Aye: **7** Nay: **0**. The motion **Carried 7 - 0**

Member (**Craig Schafer**) moved, Member (**Larry Doom**) seconded to approve the **NEW** motion 'to approve Request for Proposals for signage to be located on the new Municipal Liquor Store'. Upon a roll call vote being taken, the vote was: Aye: **6** Nay: **1**. The motion **Passed 6 – 1**, with Bayerkohler voting no.

CONSIDER APPROVAL OF CONSENT AGENDA:

Member (**Larry Doom**) moved, Member (**Craig Schafer**) 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: **7** Nay: **0**. The motion **Carried 7 - 0**

The approval of the Agreement with U.S. Bank Relating to Paying Agency, Registrar and Transfer Agency for the General Obligation Bonds, Series 2015B. This agreement outlines the duties and responsibilities of U.S. Bank National Association.

To approve the addition of a voluntary employee benefit for “Vision Insurance” with National Insurance. This benefit does require a minimum of five (5) employees to sign up for this insurance to be available for group insurance. There is no fiscal cost to the City of Marshall.

That the following bills and project payments be authorized for payment ACCOUNTS PAYABLE, Voucher No. 94750 through 94939.

CONSIDERATION OF TEMPORARY EXTENSION OF ALCOHOL LICENSE AREA FOR BRAU BROTHERS BREWING COMPANY AT 1010 EAST SOUTHVIEW DRIVE ON SEPTEMBER 11 - 12, 2015:

Brau Brothers Brewing Company has applied for a Temporary Extension of Alcohol License for the Hop Fest Celebration to be held at Brau Brothers Brewing Company on September 11 - 12, 2015. The current alcohol license approved by the City and State is for a taproom and identifies

the area to include the inside of the brewery and the exterior areas under the overhangs. The State does allow the City to allow for a temporary extension of the designated area if they are contiguous with the other areas of the license holder. The City has complete discretion of any approval or conditions that may be applied as determined necessary. There is no additional state notifications or approval.

Council Member Bayerkohler questioned whether the businesses in the area were informed of this event. City Staff indicated that Dustin Brau would be informed of this request.

Council Member Conyers indicated that she spoke to the manager of Perkins and he was happy to have this event in the parking lot because it brought in more business.

Member (**John DeCramer**) moved, Member (**David Sturrock**) seconded to approve the **ORIGINAL** motion 'to approve the temporary extension of alcohol license area for Brau Brothers Brewing Company at 1010 East Southview Drive for September 11 - 12, 2015 contingent upon receipt of the necessary insurance certificates and the neighboring businesses being informed of the event'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried 7 - 0**

CONSIDER APPROVAL OF PURCHASE OF AN ICE RESURFACER FOR THE SCHWAN REGIONAL AMATEUR SPORTS CENTER ARENA AND EXPO:

Ben Martig, City Administrator, indicated that the Schwan Regional Amateur Sports Center Arena and Expo is the latest in B3 environmental standards for the state of Minnesota in hockey arenas to meet indoor air quality standards. The project architect ATS&R had evaluated an enhanced heating and ventilation system with expanded air exchangers compared to an electric ice resurfacer and determined the latter was more cost effective. Zamboni's are the industry standard as it relates to ice resurfacers. The significant presence of Zamboni's in Minnesota allows for reasonable access to parts and service for repairs. This is the reason staff is recommending this company. Parks Supervisor Stensrud researched the specifications and made recommendation of the final optional features to be included. City Administrator Martig determined that due to the unique aspects of this equipment, and the lengthy delivery time necessary that was recently identified, that the Equipment Review Committee was not necessary at this time to have the specifications reviewed in advance. The delivery is providing for 300-days so time is of the essence to approve this purchase. The current Zamboni is owned by the Marshall Amateur Hockey Association.

Member (**Craig Schafer**) moved, Member (**Larry Doom**) seconded to approve the **ORIGINAL** motion 'to approve the purchase of Zamboni 552 ice resurfacer for the Schwan Regional Amateur Sports Center arena and expo in the amount of \$135,099.90'. This will be paid from account number 456-70579-5540, which is the project construction fund. Upon a roll call vote being taken, the vote was: Aye: 6 Nay: 1. The motion **Passed 6 – 1**, with Bayerkohler voting no.

CONSIDER AWARD OF PROPOSAL FOR WWTF BIOSOLIDS MIXER PROJECT:

Bob VanMoer, Wastewater Superintendent, indicated that the Wastewater Treatment Facility land applies all its biosolids on agricultural land as a fertilizer and soil amendment. It is crucial that staff can completely mix and maintain a uniform consistency of the biosolids in the storage

tanks from the time staff samples the tank and until the tank is completely emptied of the biosolids on the land to ensure they are applying a consistent agronomic rate of fertilizer to the fields. This is an issue for staff every year due to the poor mixing capabilities of the existing mixer. Currently they have one 125 HP mixer that needs to switch back and forth between the two 101' diameter tanks to keep all the solids homogenous. This is an operational challenge that requires a two week shut down in a crucial time period during the fall hauling season to resample. The large mixer is not designed for the consistency of the current biosolids and requires a huge power demand that gets expensive to operate. The new system is designed around the large crude oil tanks used in the oil fields to mix the bottom sediment and water. These two 30 HP mixers will perform much better and be much more efficient than the current 125 HP mixer.

Member (**John DeCramer**) moved, Member (**Larry Doom**) seconded to approve the **SUBSTITUTE** motion 'that the Council approve Wastewater Biosolids Mixers Project proposal for a total cost of \$127,000, including: -Two 30 HP mixers from GPM Inc. for a cost of \$75,000 -Two hatches installed in the storage tanks by the original tank manufacturer GNE Inc. for a cost of \$27,000 -All electrical equipment and labor by Meier Electric for a cost of \$25,000, who has done the majority of all electrical work at the Wastewater Treatment Facility and is very familiar with the system. The 2015 Capital Outlay budget 602-90581-5540 will need to be adjusted by \$127,000.00 and funded from the Wastewater Fund Reserve'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried 7 - 0**

SMASC PROJECT – CONSIDER CHANGE ORDERS: 1. CHANGE ORDER NO. 2 (2200.002) FOR CONTRACT #2200 PLUMBING & HEATING WITH BISBEE PLUMBING & HEATING; 2. CHANGE ORDER NO. 1 (0990.001) FOR CONTRACT #0990 PAINTINGS/COATINGS WITH STEINBRECHER PAINTING, INC.; 3. CHANGE ORDER NO. 1 (0710.001) FOR CONTRACT #0710 DAMPPROOFING/WATERPROOFING, AIR & VAPOR BARRIERS WITH KREMER AND DAVIS, INC.; 4. CHANGE ORDER NO. 2 (2600.002) FOR CONTRACT #2600 ELECTRICAL/LOW VOLTAGE WITH L&S ELECTRIC, INC:

Glenn Olson, Director of Public Works/City Engineer, briefly reviewed the change orders for the SMASC Project. These change orders were prepared, reviewed and recommended for approval by the Construction Manager, Wenk and City staff. The amount of changes to the project is a net decrease in the amount of \$20,112.00 encumbered to account number 456-70579-5520 (Amateur Sports Center Fund – Buildings and Structures).

Member (**Craig Schafer**) moved, Member (**John DeCramer**) seconded to approve the **ORIGINAL** motion 'that Council approve Change Order No. 2 (2200.002) for Contract #2200 Plumbing & Heating with Bisbee Plumbing & Heating, for a contract increase in the amount of \$8,121.00'. This change order relates to adding floor drains in mechanical rooms at the Amateur Sports Center. Upon a roll call vote being taken, the vote was: Aye: 6 Nay: 1. The motion **Passed 6 – 1**, with Bayerkohler voting no.

Member (**John DeCramer**) moved, Member (**Larry Doom**) seconded to approve the **NEW** motion 'that Council approve Change Order No. 1 (0990.001) for Contract #0990 Paintings/Coatings with Steinbrecher Painting, Inc., for a contract decrease in the amount of

\$1,800.00'. This change order relates to a credit memo for paint due to addition of ceramic tile wall finish at Rooms A106, A107, A202 and A206 of the Amateur Sports Center. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried 7 - 0**

Member (**David Sturrock**) moved, Member (**Ellayne Conyers**) seconded to approve the NEW motion 'that Council approve Change Order No. 1 (0710.001) for Contract #0710 Dampproofing/Waterproofing, Air & Vapor Barriers with Kremer And Davis, Inc., for a contract decrease in the amount of \$4,000.00'. This change order relates to changing waterproof membrane at second floor mechanical rooms to traffic coating of the Amateur Sports Center. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried 7 - 0**

Member (**John DeCramer**) moved, Member (**Craig Schafer**) seconded to approve the NEW motion 'that Council approve Change Order No. 2 (2600.002) for Contract #2600 Electrical/Low Voltage with L&S Electric, Inc., for a contract decrease in the amount of \$22,433.00'. This change order relates to installation of Type BB fixtures to be supplied by the owner and installed by L & S Electric for the Amateur Sports Center. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried 7 - 0**

PROJECT L70: LIBRARY PARKING LOT EXTENSION PROJECT -- 1. CONSIDER CHANGE ORDER NO. 1 (FINAL); 2. ACKNOWLEDGEMENT OF FINAL PAY REQUEST NO. 2:

Glenn Olson, Director of Public Works/City Engineer, reviewed the Library Parking Lot Extension Project L70. This project involved the expansion of the existing Library parking lot to accommodate the additional parking needs created from the Children's Wing Expansion Project. Eleven (11) additional parking spaces were created and constructed with concrete paving. The items on the Change Order No. 1 (Final Reconciling Change Order) are the result of final measurements and changes in item quantities during construction. All the work has been completed in accordance with the specifications. The final payment including the final change order and release of retainage will be paid from account number 410-70437-5530 (Library Children's Wing Fund – Library – Improvements Other).

Member (**Craig Schafer**) moved, Member (**Ellayne Conyers**) seconded to approve the ORIGINAL motion 'that Council approve Change Order No. 1 (Final) with Chuck Hess Concrete & Masonry, Inc. of Marshall, Minnesota, resulting in a contract decrease in the amount of \$568.00 and acknowledgement of Final Pay Request (No. 2) in the amount of \$3,617.20 for the Library Parking Lot Extension Project L70'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried 7 - 0**

COMMISSION/BOARD LIAISON REPORTS:

Byrnes No report.

Schafer Library Board will meet on August 14th as the Budget Committee with the County representatives to review their budget request for 2016..

Doom Personnel Committee discussed the job description for the Assistant City Engineer position and the reorganization of the Building Inspector role.

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SW MN Amateur Sports Center there will be a press conference to name the arena.

Bayerkohler Public Housing Commission did not have a quorum; Planning Commission will meet on August 12th

DeCramer Utilities Commission held their first paperless meeting on July 22nd, the actual cost for the construction of the new pipeline was under budget and MMU held a ribbon cutting for the new pipeline.

Sturrock Airport Commission discussed the Master Plan for the Airport; Public Improvement/Transportation Committee met on August 6th to address the Special Assessment Policy.

Conyers Community Services Advisory Board is working on classes for the fall session.

COUNCILMEMBER INDIVIDUAL ITEMS:

National Night Out was held at Independence Park; there was a concern with recreational type vehicles parking on residential streets; the Saratoga Street project continues; discussion continues with safety issues on Highway 23 bypass from Highway 33 to County Road 7.

CITY ADMINISTRATOR:

Ben Martig, City Administrator, provided updates on the following:

- Sound of Summer will be held August 20th to 23rd
- The Fire Department is celebrating their 125th Anniversary
- The City has taken possession of the new Event Stage; City employees have been trained and certified on setting up the stage; staff is working on the policy for stage usage by other entities; using extra funds to purchase a trailer to store items for the stage.
- There will be a ribbon cutting of the stage before All My Favorites on August 20th.
- Staff is continuing to work on a sound system and lighting for the stage.
- Staff will be scheduling tours of the Sports Center and MERIT Center
- There will be a budget meeting on August 18, 2015
- Staff has invited the Senator, State Representative and League of Minnesota Cities representatives to the next council meeting.

DIRECTOR OF PUBLIC WORKS:

Glenn Olson, Director of Public Works/City Engineer, indicated that the Sounds of Summer Parade route has been changed due to road construction. He also gave a brief update on current projects.

CITY ATTORNEY:

No report.

PENDING ITEMS:

There were no questions on the pending items.

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INFORMATION ONLY:

There were no questions on the information items.

UPCOMING MEETINGS:

There were no questions on the upcoming meeting list.

Member (**Larry Doom**) moved, Member (**Craig Schafer**) 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**



Mayor

ATTEST:



Finance Director/City Clerk