

REGULAR MEETING – NOVEMBER 10, 2015

The regular meeting of the Common Council of the City of Marshall was held November 10, 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: David Sturrock, Ellayne Conyers, John DeCramer, Glenn Bayerkohler, Larry Doom and Craig Schafer. Absent: none. Staff present included: Ben Martig, City Administrator; Dennis Simpson, City Attorney; Glenn Olson, Director of Public Works/City Engineer; Ilya Gutman, Plan Examiner; Sheila Dubs, Human Resource Coordinator; 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 OCTOBER 27, 2015, AND THE MINUTES OF THE WORK SESSION HELD ON OCTOBER 27, 2015:

Member (Larry Doom) moved, Member (John DeCramer) seconded to approve the ORIGINAL motion 'that the minutes of the regular meeting held on October 27, 2015, and the minutes of the work session held on October 27, 2015 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: 7 Nay: 0. The motion Carried. 7 - 0

PROJECT BP4: IRRIGATION WATER LINE FOR MARSHALL HIGH SCHOOL FOR SOUTHWEST MINNESOTA REGIONAL AMATEUR SPORTS CENTER BALLPARK PROJECT – 1. AGREEMENT WITH HIGH SCHOOL; 2. RESOLUTION DECLARING OFFICIAL INTENT REGARDING THE REIMBURSEMENT OF EXPENDITURES WITH THE PROCEEDS OF TAX-EXEMPT BONDS; 3. RESOLUTION ACCEPTING BID (AWARDING CONTRACT):

Bids were received for BP4 Irrigation Water Line for Marshall high School for the SW MN Regional Amateur Sports Center Ballpark Project from:

D & G Excavating, Inc.
Marshall, Minnesota
\$75,725.00

Land Pride Construction, Inc.
Paynesville, Minnesota
\$88,475.00

R & G Construction
Marshall, Minnesota
\$89,600.00

H & W Contracting, LLC
Sioux Falls, South Dakota
\$91,160.00

This project includes the construction of a 6-inch irrigation waterline and associated control wiring from the existing pump station at the Southwest Minnesota Regional Amateur Sports Ballpark to the Marshall High School. The purpose of the project is to provide water from the detention pond to the high school facilities in lieu of municipal water, when available. This project, or a portion thereof, may be financed by the sale of bonds with repayment coming from assessments and Debt Service Fund Levy. It is required that action be authorized by City Council

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via Resolution Declaring Official Intent Regarding the Reimbursement of Expenditures with the Proceeds of Tax Exempt Bonds.

The estimated total project cost including 5% allowance for contingencies and 16% for engineering and administrative costs is \$92,233.05 to be funded from Account #413-70577-5530 (Ballparks Capital Fund - Improvements other than Buildings). This amount is intended to be reimbursed by the School District per the agreement. The City will be financing as part of a bond issue. Staff will have information in the near future on the ballfield previously committed expenses to be included in this issuance as well as estimated costs to complete the project.

Member (**John DeCramer**) moved, Member (**David Sturrock**) seconded to approve the **ORIGINAL** motion 'that the Council adopt RESOLUTION NUMBER 4212, SECOND SERIES, which provides for Declaring Official Intent Regarding the Reimbursement of Expenditures with the Proceeds of Tax-Exempt Bonds for Project BP4: Irrigation Water Line for Marshall High School for Southwest Minnesota Regional Amateur Sports Center Ballpark Project'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried 7 - 0**

Member (**Larry Doom**) moved, Member (**Craig Schafer**) seconded to approve the **NEW** motion 'that the Council adopt RESOLUTION NUMBER 4213, SECOND SERIES which provides for the Resolution Accepting Bid (Awarding Contract) and authorizing entering into an agreement with D&G Excavating, Inc. of Marshall, MN, in the amount of \$75,725.00 for Project BP4: Irrigation Water Line for Marshall High School for Southwest Minnesota Regional Amateur Sports Center Ballpark Project subject to approval of agreement by Marshall Public Schools '. 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 'to approve an agreement with Marshall Public Schools for the cost of this project'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried 7 - 0**

APPROVE RESOLUTION SO THAT THE FORMAL VACATION OF A PORTION OF SERVICE DRIVE IS LEGALLY VACATED SO AS TO ALLOW FOR THE TRANSFER TO THE ADJACENT PROPERTY OWNER:

Dennis Simpson, City Attorney, reviewed a petition for vacation of street, informally known as Market Street, running north and south between Service Drive and McLaughlin Drive. The petition indicates that the property ultimately will go to the property known as Mike's Café to enlarge their parking lot. This petition was previously addressed by City Council at public hearing on May 27, 2014. The vacation of street was approved and was submitted to the Lyon County Recorder's office for recording. Through a series of unanticipated and unknown issues, the previously approved resolution was unable to be recorded, and as such the Lyon County Recorder is requesting a corrected resolution so as to allow for the property vacation of street and transfer of the vacated street to the adjacent property owner.

The previously approved resolution did approve the vacation of Market Street with ultimate transfer of the vacated street to the owner of Mike's Café. As it turns out, that property known

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as Market Street, is still formally platted as Service Drive. The process is further complicated by the fact that portion of Service Drive is on one subdivision, and Mike's Café property is on another platted subdivision. State statutes indicate that vacated street within a subdivision can be transferred to the adjacent owner within that subdivision. Therefore, the entirety of Market Street (Service Drive) upon vacation, would then be transferred within the subdivision to the owner of Traveler's Lodge. That property owner, however, does not wish to be the owner of that vacated street, and as such, that owner is prepared to transfer the vacated street to the owner of Mike's Café pursuant to the petition to vacate property.

Member (**Larry Doom**) moved, Member (**Craig Schafer**) seconded to approve the **ORIGINAL** motion 'Adopt RESOLUTION NUMBER 4214, SECOND SERIES, which is a Resolution Granting a Petition for Vacation of a Street in the City of Marshall. This resolution provides the formal vacation of a portion of Service Drive be legally vacated so as to allow for the transfer to the adjacent property owner'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried 7 - 0**

CONSIDER APPROVAL OF CONSENT AGENDA:

Council Member Bayerkohler requested that the Senior Citizen's Commission yearly contract with both MASC, Inc. (Marshall Area Senior Citizen's, Inc.) and LSS (Lutheran Social Services – senior dining) be pulled from the consent agenda.

Member (**John DeCramer**) 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: 7 Nay: 0. The motion **Carried 7 - 0**

Approval of an agreement with Marshall Municipal Utilities, regarding the route to be established for the installation of the new raw water line to provide water to the City of Marshall.

Approval of a one year extension of a farm lease between City of Marshall, Lessor, and Paul & Fran Deutz, Inc., a Minnesota corporation, Lessee for. 9.47 acres at a rate of \$1,325.80 due on March 15, 2016.

Approval of the 2016-2017 Health Care Savings Plan Memorandums of Understanding between the City of Marshall and AFSCME, LELS Local 190, LELS Local 245, and the non-union employee groups.

The approval of a Temporary On-Sale Liquor License for Marshall Area Chamber of Commerce to use at Bremer Bank, 208 East College Drive, Marshall, Minnesota on December 7, 2015.

BE IT RESOLVED, that the City Council hereby (1) grants local unit of government approval to the Marshall Golf Club, to hold a raffle on February 7, 2016, at Marshall Golf Club, 800 Country Club Drive, Marshall, Minnesota, (2) acknowledges the receipt of LG220 Application of Exempt Permit, (3) waives the 30-day waiting period, and (4) authorizes and directs the appropriate city personnel to complete and sign the LG220 Application for Exempt Permit on behalf of the City of Marshall.

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The approval of a Temporary On-Sale Liquor License for the Friends of the Orchestra LTD to use on December 16, 2015 at Holy Redeemer Church, 501 West Lyon Street, Marshall, Minnesota.

That the following bills and project payments be authorized for payment: ACCOUNTS PAYABLE, Voucher No. 95944 through 96116.

APPROVAL SENIOR CITIZEN'S COMMISSION YEARLY CONTRACT WITH BOTH MASC, INC. (MARSHALL AREA SENIOR CITIZENS, INC.) AND LSS (LUTHERAN SOCIAL SERVICES - SENIOR DINING):

Council Member Bayerkohler questioned the reimbursement rate. Barb Lipinski, Director of the Adult Community Center indicated that Lutheran Social Services would like to reduce this rate to 14 cents per meal in the future. The rate for 2016 will be 18 cents per meal.

Member (**Larry Doom**) moved, Member (**Craig Schafer**) seconded to approve the **ORIGINAL** motion 'Approval of the Senior Citizen's Commission contract with MASC, Inc., and the contract with Lutheran Social Services – senior dining for calendar year 2016. The reimbursement rate for meals will be 18 cents per meal'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried 7 - 0**

CONSIDER 2016 FUNDING TO THE MARSHALL LYON COUNTY LIBRARY:

Member (**Craig Schafer**) moved, Member (**John DeCramer**) seconded to approve the **ORIGINAL** motion 'to approve \$570,655 for the City of Marshall funding for the Marshall Lyon County Library for 2016'. Upon a roll call vote being taken, the vote was: Aye: 5 Nay: 2. The motion **Passed 5 – 2** with Bayerkohler and Doom voting no.

RENNAE PETERSON IS REQUESTING A FIVE-YEAR RENEWAL OF A CONDITIONAL USE PERMIT FOR HOME OCCUPATION TO CONDUCT A PIANO TEACHING BUSINESS AT 112 RANCH AVENUE IN AN R-1 ONE FAMILY RESIDENCE DISTRICT:

Rennae Petersen is requesting a five-year renewal of a Conditional Use Permit for home occupation to conduct a piano teaching business at 112 Ranch Avenue in an R-1 One Family Residence District. The original Permit was granted in 1984 with renewals in 1985, 1990, 1995, 2000, 2005, 2010, and 2012. There are no comments on file.

Member (**Glenn Bayerkohler**) moved, Member (**John DeCramer**) seconded to approve the **ORIGINAL** motion 'that the Council approve the request of Rennae Petersen for a five-year renewal of a Conditional Use Permit to conduct a piano teaching business at 112 Ranch Avenue 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 in which such premises are located shall be conformed with. 2. That the City reserves the right to revoke the Conditional Use Permit in the event that any person has breached the conditions contained in this permit provided first, that the City serve the person with written notice specifying items of any default and allow the applicant a reasonable time in which to repair any such default. 3. That the property is maintained to conform to the Housing Code, Zoning Code, Building Code, and not cause or create negative impacts to adjacent existing or future properties. 4. This permit expires five years from its date of

adoption. 5. Business hours shall be between 6:00 a.m. and 10:00 p.m. only'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried 7 - 0**

INTRODUCE AND CALL FOR A PUBLIC HEARING FOR REZONE AT 406

AIRPORT ROAD:

Glenn Olson, Director of Public Works/City Engineer, reviewed the request to rezone 406 Airport Road. This lot and area north and south of it has been annexed in 2012 and rezoned to R-1 single family residence district because most lots there contained single family houses. The exceptions were this property and a church to the south of it but church is a permitted use in a single family residence district. Prior to annexation and rezoning, this two acre property had been used for an auto repair shop for a very long time as it seems that the building was originally built as such. Considering this property's history and its size and configuration, this request seems reasonable. Section 86-46 (2) allows classification of existing non-conforming use as conforming if that use existed at the time of rezoning. Therefore, this was a request by the owner to classify a non-conforming use as a conforming use. Existing use is car repair shop and that is what was proposed to be classified as conforming use. During the Planning Commission meeting, it was brought up that the intent is to build a new contractor's shop on this property. Since the Ordinance does not allow to make that use permitted because it is not an existing use, the Planning Commission suggest rezoning the property to the I-1 Limited Industrial District that permits this use. This will be spot zoning which is not usually recommended even though it is legal; however, in this case the consensus is that eventually the houses to the north of discussed property will be torn down and replaced with commercial use so they too will be rezoned. This will make this area zoning more consistent with zoning across Airport Road and the Railroad. Limited Industrial District regulations are located in Section 86-106. The Conditional Use Permit regulations are found in Sections 86-46 through 86-49 and rezoning process is described in Section 86-30.

Member (**Craig Schafer**) moved, Member (**Larry Doom**) seconded to approve the **ORIGINAL** motion 'that the Council introduce an ordinance and call for a Public hearing to rezone 406 Airport Road from R-1 Single Family Residential District to I-1 Limited Industrial District'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried 7 - 0**

PROJECT Z29: DIVERSION CHANNEL / MAIN LIFT SANITARY SEWER INTERCEPTOR PROJECT -- 1. CONSIDER CHANGE ORDER NO. 3; 2. CONSIDER CHANGE ORDER NO. 4 (FINAL); 3. ACKNOWLEDGEMENT OF FINAL PAY REQUEST NO. 6.

Glenn Olson, Director of Public Works/City Engineer reviewed Project Z29 Diversion Channel / Main Lift Sanitary Sewer Interceptor Project. This project consists of the reconstruction of the Diversion Channel / Main Lift interceptor sewer line. This project begins at the Main Lift Station on Kossuth Avenue, thence northwesterly to the intersection of North 7th Street and Kossuth Avenue; thence to the west along the southerly Diversion Channel right-of-way to the west right-of-way of the Burlington Northern Railroad. Included in the sanitary sewer replacement is the reconstruction of sanitary sewer from the intersection of North 7th Street and Kossuth Avenue to the intersection of North 7th Street and Fairview Street. Also included in this project is the replacement of the 16" loop feeder watermain from North 7th Street to T.H. 59 along the south side of the Diversion Channel requested by Marshall Municipal Utilities. Change Order No. 3 is

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a contract increase in the amount of \$6,928.35 due to additional 8” concrete driveway pavement for driveways along the North 7th Street segment of the project. Change Order No. 4 (Final Reconciling Change Order) is a contract decrease in the amount of \$4,446.50 and is the result of final measurements and changes in item quantities during construction.

Member (**Craig Schafer**) moved, Member (**David Sturrock**) seconded to approve the **ORIGINAL** motion 'that Council approve Change Order No. 3 with H&W Contracting, LLC of Sioux Falls, South Dakota, resulting in a contract increase in the amount of \$6,928.35 for Project Z29 Diversion Channel / Main Lift Sanitary Sewer Interceptor'. 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. 4 (Final) H&W Contracting, LLC, resulting in a contract decrease in the amount of \$4,446.50 and acknowledgement of Final Pay Request (No. 6) in the amount of \$144,759.80 for Project Z29 Diversion Channel / Main Lift Sanitary Sewer Interceptor'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried 7 - 0**

PROJECT Z41: 2015 BITUMINOUS CHIP SEAL PROJECT - 1. CONSIDER CHANGE ORDER NO. 1 (FINAL); 2. ACKNOWLEDGEMENT OF FINAL PAY REQUEST NO. 2:

Glenn Olson, Director of Public Works/City Engineer, indicated that the items on the Change Order No. 1 (Final Reconciling Change Order) for Project Z41 – 2015 Bituminous Chip Seal are the result of final measurements and changes in item quantities during construction. All work has been completed in accordance with the specifications.

Member (**John DeCramer**) moved, Member (**Craig Schafer**) seconded to approve the **ORIGINAL** motion 'that Council approve Change Order No. 1 (Final) with McLaughlin & Schulz, Inc. of Marshall, Minnesota, resulting in a contract decrease in the amount of \$1,355.93 and acknowledgement of Final Pay Request (No. 2) in the amount of \$3,603.98 for Project Z41 2015 Bituminous Chip Seal Project'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried 7 - 0**

PROJECT Z37: NORTH “A” STREET / EAST REDWOOD STREET RECONSTRUCTION PROJECT – CONSIDER RESOLUTION AMENDING ASSESSMENT ROLL (GENE WOLNER – 206 NORTH “A” STREET):

Glenn Olson, Director of Public Works/City Engineer, indicated that on June 9, 2015, the City Council awarded the contract for Project Z37: North “A” Street / East Redwood Street Reconstruction Project. That project consisted of the reconstruction of streets and utilities on North “A” Street from East Main Street to East Marshall Street and East Redwood Street from Jean Avenue to the Redwood River. Items of work included in the project are sanitary sewer, watermain, and storm sewer replacement, curb and gutter replacement, sidewalk replacement, bituminous surfacing, aggregate base, grading and other minor work. On September 22, 2015, the Marshall City Council adopted the assessment roll (Resolution Number 4196, Second Series) after the public hearing. On October 30, 2015, City staff met with Gene Wolner, the property owner of 206 North “A” Street (Parcel 27 677225-0). Mr. Wolner requested to have sidewalks installed on his property in connection with the project and placed on the assessment roll. This

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additional work will result in an increase to the assessment to this property in the amount of \$190.28 and revises the total assessment to this property from \$3,436.78 to \$3,627.06.

Member (**Larry Doom**) moved, Member (**Craig Schafer**) seconded to approve the **ORIGINAL** motion 'that the Council adopt RESOLUTION NUMBER 4215, SECOND SERIES, which is the Resolution Amending Assessment Roll for Project Z37: North "A" Street / East Redwood Street Reconstruction Project'. This resolution provides for an additional \$190.28 to be assessed to Parcel Number 27-67725-0. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried 7 - 0**

SOUTHWEST MINNESOTA REGIONAL AMATEUR SPORTS CENTER (SMASC) – CONSIDER CHANGE ORDERS: -- 1) CHANGE ORDER NO. 2 (0510.002) FOR CONTRACT #0510 STEEL ERECTION WITH SOWLES COMPANY 2) CHANGE ORDER NO. 3 (0510.003) FOR CONTRACT #0510 STEEL ERECTION WITH SOWLES COMPANY 3) CHANGE ORDER NO. 2 (0610.002) FOR CONTRACT #0610 CARPENTRY WITH ROBERT L. CARR COMPANY 4) CHANGE ORDER NO. 6 (2200.006) FOR CONTRACT #2200 PLUMBING & HEATING WITH BISBEE PLUMBING & HEATING 5) CHANGE ORDER NO. 7 (2200.007) FOR CONTRACT #2200 PLUMBING & HEATING WITH BISBEE PLUMBING & HEATING 6) CHANGE ORDER NO. 1 (2300.001) FOR CONTRACT #2300 HVAC/TEMPERATURE CONTROLS WITH GENERAL SHEET METAL COMPANY, LLC 7) CHANGE ORDER NO. 3 (0610.003) FOR CONTRACT #0610 CARPENTRY WITH ROBERT L. CARR COMPANY 8) CHANGE ORDER NO. 1 (0950.001) FOR CONTRACT #0950 ACOUSTICAL TREATMENTS WITH FM ACOUSTICAL TILE, INC. 9) CHANGE ORDER NO. 6 (0990.006) FOR CONTRACT #0990 PAINTING/COATINGS WITH STEINBRECHER PAINTING, INC:

Glenn Olson, Director of Public Works/City Engineer, reviewed the proposed change orders for the Southwest Minnesota Regional Amateur Sports Center.

Member (**Craig Schafer**) moved, Member (**Ellayne Conyers**) seconded to approve the **ORIGINAL** motion 'that Council approve the following change orders for the various contracts for the SMASC Project in the amount of in the amount of \$44,345.00. These will be paid out of Account Number 456-70579-5520 Amateur Sports Center Fund – Buildings and Structures. Upon a roll call vote being taken, the vote was: Aye: 6 Nay: 1. The motion **Passed 6 – 1** with Bayerkohler voting no.

Change Order No. 2 (0510.002) for Contract #0510 Steel Erection with Sowles Company of Shakopee, Minnesota for a contract increase in the amount of \$875.00.

Change Order No. 3 (0510.003) for Contract #0510 Steel Erection with Sowles Company of Shakopee, Minnesota, for a contract increase in the amount of \$783.00.

Change Order No. 2 (0610.002) for Contract #0610 Carpentry with Robert L. Carr Company of Marshall, Minnesota, for a contract increase in the amount of \$1,300.00.

Change Order No. 6 (2200.006) for Contract #2200 Plumbing & Heating with Bisbee Plumbing &

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Heating of Marshall, Minnesota, for a contract increase in the amount of \$1,015.00.

Change Order No. 7 (2200.007) for Contract #2200 Plumbing & Heating with Bisbee Plumbing & Heating of Marshall, Minnesota, for a contract increase in the amount of \$11,825.00.

Change Order No. 1 (2300.001) for Contract #2300 HVAC/Temperature Controls with General Sheet Metal Company, LLC of Minneapolis, Minnesota, for a contract increase in the amount of \$28,547.00.

Member (**Larry Doom**) moved, Member (**Craig Schafer**) seconded to approve the **NEW** motion 'that Council approve the following change orders for the various contracts for the SMASC Project for a decrease in the amount of in the amount of \$2,723.00. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried 7 - 0**

Change Order No. 3 (0610.003) for Contract #0610 Carpentry with Robert L. Carr Company of Marshall, Minnesota, for a contract decrease in the amount of \$1,017.00.

Change Order No. 1 (0950.001) for Contract #0950 Acoustical Treatments with FM Acoustical Tile, Inc. of Sioux Falls, South Dakota, for a contract decrease in the amount of \$124.00.

Change Order No. 6 (0990.006) for Contract #0990 Painting/Coatings with Steinbrecher Painting, Inc. of Princeton, Minnesota, for a contract decrease in the amount of \$1,582.00.

MARSHALL LIQUOR STORE - CONSIDER CHANGE ORDER NO.4 WITH SALONEK CONSTRUCTION & CONCRETE, INC. FOR THE LIQUOR STORE PROJECT IN THE AMOUNT OF \$18,961.00:

Member (**Larry Doom**) moved, Member (**John DeCramer**) seconded to approve the **ORIGINAL** motion 'to approve Change Order No. 4 for Salonek Construction & Concrete, Inc. for the liquor store project in the amount of \$18,961.00'. Upon a roll call vote being taken, the vote was: Aye: 6 Nay: 1. The motion **Passed 6 – 1** with Bayerkohler voting no.

CONSIDER AN APPLICATION FOR AN ON-SALE INTOXICATING LIQUOR LICENSE FOR MARSHALL AREA CHAMBER OF COMMERCE FOR FEBRUARY 5, 2016:

Member (**Larry Doom**) moved, Member (**John DeCramer**) seconded to approve the **ORIGINAL** motion 'the approval of a Temporary On-Sale Liquor License for Marshall Area Chamber of Commerce to use at Southwest Minnesota State University, 1501 State Street, Marshall, Minnesota on February 5, 2016'. Upon a roll call vote being taken, the vote was: Aye: 6 Nay: 0 Abstain: 1. The motion **Passed 6 – 0 – 1** with Bayerkohler abstaining.

CONSIDER AN APPLICATION FOR AN ON-SALE INTOXICATING LIQUOR LICENSE FOR SMSU FOUNDATION FOR JANUARY 29, 2016:

Member (**John DeCramer**) moved, Member (**Larry Doom**) seconded to approve the **ORIGINAL** motion 'the approval of a Temporary On-Sale Liquor License for Southwest Minnesota State University Foundation to use on January 29, 2106 at SMSU Conference Center,

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1501 State Street, Marshall, Minnesota'. Upon a roll call vote being taken, the vote was: Aye: 6 Nay: 0 Abstain: 1. The motion **Passed 6 – 0 – 1** with Bayerkohler abstaining

CONSIDER AN APPLICATION FOR AN ON-SALE INTOXICATING LIQUOR LICENSE FOR SMSU FOUNDATION FOR DECEMBER 4, 2015:

Member (Larry Doom) moved, Member (Craig Schafer) seconded to approve the ORIGINAL motion 'the approval of a Temporary On-Sale Liquor License for Southwest Minnesota State University Foundation to use on December 4, 2015 at SMSU RA Facility, 1501 State Street, Marshall, Minnesota'. Upon a roll call vote being taken, the vote was: Aye: 6 Nay: 0 Abstain: 1. The motion **Passed 6 – 0 – 1** with Bayerkohler abstaining.

COMMISSION/BOARD LIAISON REPORTS:

Byrnes No report.

Schafer Library Board conducted phone interviews with 3 candidates for a new Director; SMSU has agreed to conduct a survey for the Library.

Doom Southwest Minnesota Amateur Sports Center provided an update on the project.

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

DeCramer Utilities Commission will discuss the Partnership agreement at their next meeting.

Sturrock Airport Commission met on November 3rd.

Conyers Community Services Advisory Board met on November 4th.

COUNCILMEMBER INDIVIDUAL ITEMS:

Council Member Sturrock attended a meeting with MN/DOT. The Partnership meeting with Marshall Municipal Utilities will discuss payment in lieu of taxes. The City will address the compensation for the MMU Commissioners.

CITY ADMINISTRATOR:

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

Tall Grass Liquor will open on November 16th

Staff will work with City Attorney Simpson on the sale of the current liquor store

MERIT Center

Budget for 2016

Market Street Mall Project

Safe Routes to schools – MN/DOT Grant

DIRECTOR OF PUBLIC WORKS:

Glenn Olson, Director of Public Works/City Engineer, provided updates on the following:

Engineer consultants for Hwy 23 from County Road 33 to County Road 7

Saratoga Street will open on November 20th

MERIT Center and Sports Facility

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“A” Street will be ready for winter; final layer next spring.
Pike Path by the fairgrounds and funding of the Bike Trail from Lyon County
FAA completed final on Bud Rose property

CITY ATTORNEY:

Dennis Simpson, City Attorney, provided updates on:
EDA finalized the sale of lots in Parkway II Addition
There will be a court hearing on November 18th in regard to the Marshall Hotel.
Market Street Mall
Donation agreements with Avera have been executed
The property located at East College Drive and South Bruce Street will be sold to Avera

PENDING ITEMS:

There were no questions on the pending items.

INFORMATION ONLY:

There were no questions on the information items.

UPCOMING MEETINGS

There was 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