

REGULAR MEETING – MARCH 8, 2016

The regular meeting of the Common Council of the City of Marshall was held March 8, 2016 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: Larry Doom, David Sturrock, Ellayne Conyers; John DeCramer Craig Schafer and Glenn Bayerkohler. Absent: none. Staff present included: Ben Martig, City Administrator; Dennis Simpson, City Attorney; Glenn Olson, Director of Public Works/City Engineer; Sheila Dubs, Human Resource Coordinator; Preston Stensrud, Parks Supervisor; Rob Yant, Director of Public Safety; Kim Jergenson, Engineer Technician; Jane DeVries, Deputy City Clerk and Thomas M. Meulebroeck, Finance Director/City Clerk.

APPROVAL OF AGENDA:

It was the general consensus of the council that the agenda be approved with the deletion of item number 28, which is to consider approval of the Joint Powers Agreement between the City of Marshall and Independent School District #413 Relating to the Establishment and Operation of a Jointly Sponsored Community Education and Recreation Program.

Member (**Larry Doom**) moved, Member (**Craig Schafer**) seconded to approve the **ORIGINAL** motion 'approve the agenda with the deletion of item number 28, which is to consider approval of the Joint Powers Agreement between the City of Marshall and Independent School District #413 Relating to the Establishment and Operation of a Jointly Sponsored Community Education and Recreation Program'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried 7 - 0**

CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR MEETING HELD ON FEBRUARY 23, 2016:

Member (**Larry Doom**) moved, Member (**Ellayne Conyers**) seconded to approve the **ORIGINAL** motion 'the minutes of the regular meeting held on February 23, 2016 be approved as corrected 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 Z38: SOUTH 2ND STREET RECONSTRUCTION PROJECT – CONSIDER RESOLUTION ORDERING IMPROVEMENT AND PREPARATION OF PLANS:

This was the date and time set for a public hearing on South 2nd Street Reconstruction Project Z38. Glenn Olson, Director of Public Works/City Engineer, indicated that this project consists of the proposed reconstruction of streets and utilities on South 2nd Street from Grimes Street to Gray Place, Lucille Street from South 2nd Street to South 4th Street, Maple Street from South 2nd Street to South 1st Street, and Williams Street from Grimes Street to Maple Street. Items of work included in this project are sanitary sewer replacement, watermain replacement, storm sewer replacement, bituminous surfacing, aggregate base, sidewalks, curb and gutter and other minor work. A public informational meeting was held on March 3, 2016 at Marshall Municipal Utilities. Information and handouts were provided to all those in attendance. The same handouts were mailed to all property owners within the project area that were not able to attend.

Comments included:

Council Member DeCramer was concerned with parking on South 2nd Street.

Council Member Doom asked about sidewalks on South 2nd Street to George Street.

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Todd Blomme, 113 Maple Street, provided a petition for no sidewalks on West Maple Street.

Council Member Schafer indicated that if the sidewalk is removed, the savings would be for the City not the property owners.

Gene Bossuyt, 601 South 2nd Street indicated that he is not in favor of sidewalks – they are gone for the winter and not able to keep sidewalks clean.

Council Member DeCramer indicated that sidewalk costs are included in the street assessment; therefore both sides of the street pay for this.

Member (**Larry Doom**) moved, Member (**John DeCramer**) seconded to approve the **ORIGINAL** motion 'that the Council close the public hearing regarding Project Z38: South 2nd Street Reconstruction 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 (**John DeCramer**) seconded to approve the **NEW** motion 'that the Council adopt RESOLUTION NUMBER 4250, SECOND SERIES, which is the "Resolution Ordering Improvement and Preparation of Plans" for Project Z38: South 2nd Street Reconstruction Project'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried 7 - 0**

PROJECT Z45: EAST LYON / JEAN AVE / EAST REDWOOD / "B" STREET RECONSTRUCTION PROJECT – CONSIDER RESOLUTION ORDERING IMPROVEMENT AND PREPARATION OF PLANS:

This was the date and time set for a public hearing on East Lyon / Jean Avenue / East Redwood / "B" Street Reconstruction Project Z45. Glenn Olson, Director of Public Works/City Engineer, indicated that this project consists of the proposed reconstruction of streets and utilities on East Lyon Street from "A" Street to "C" Street, "B" Street from East Main Street to East Redwood Street, East Redwood Street from "A" Street to East Lyon Street, and Jean Avenue from East Redwood Street to South Whitney Street. A public informational meeting was held on March 3, 2016 at Marshall Municipal Utilities. Information and handouts were provided to all those in attendance. The same handouts were mailed to all property owners within the project area that were not able to attend. Comments included:

Don Brewers, 304 East Redwood, indicated that he is not in favor of sidewalks. There are trees and bushes that would need to be removed and only 4 houses would have sidewalks that currently do not have sidewalks. He indicated that the bike path is directly behind this area and he is currently working on a petition against sidewalks.

Member (**John DeCramer**) moved, Member (**David Sturrock**) seconded to approve the **ORIGINAL** motion 'that the Council close the public hearing regarding Project Z45: East Lyon / Jean Ave / East Redwood / "B" Street Reconstruction Project'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried 7 - 0**

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Member (**John DeCramer**) moved, Member (**Larry Doom**) seconded to approve the **NEW** motion 'that the Council adopt RESOLUTION NUMBER 4251, SECOND SERIES, which is the "Resolution Ordering Improvement and Preparation of Plans" for Project Z45: East Lyon / Jean Ave / East Redwood / "B" Street Reconstruction Project '. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried 7 - 0**

PROJECT Z49: EAST MAIN STREET SIDEWALK REPLACEMENT PROJECT – CONSIDER RESOLUTION ORDERING IMPROVEMENT AND PREPARATION OF PLANS:

This was the date and time set for a public hearing on East Main Street Sidewalk Replacement Project Z49. Glenn Olson, Director of Public Works/City Engineer indicated that this project consists of the proposed sidewalk and driveway improvements along East Main Street from Southview Drive to First Street. The improvements will be constructed along the both sides of East Main Street (T.H. 59) and shall meet ADA guidelines for wheelchair accessibility. A public informational meeting was held on March 3, 2016 at Marshall Municipal Utilities. Information and handouts were provided to all those in attendance. The same handouts were mailed to all property owners within the project area that were not able to attend. A written objection was received from Greg Taylor for his property located at 122 East Main Street.

Member (**Craig Schafer**) moved, Member (**John DeCramer**) seconded to approve the **ORIGINAL** motion 'that the Council close the public hearing regarding Project Z49: East Main Street Sidewalk Replacement Project'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried 7 - 0**

Member (**Craig Schafer**) moved, Member (**Ellayne Conyers**) seconded to approve the **NEW** motion 'that the Council adopt RESOLUTION NUMBER 4252, SECOND SERIES, which is the "Resolution Ordering Improvement and Preparation of Plans" for Project Z49: East Main Street Sidewalk Replacement Project'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried 7 - 0**

AWARD OF BIDS FOR TWO SQUAD VEHICLES FOR THE POLICE DEPARTMENT:

Marked police vehicles are the primary means for officers to be able to get around and perform their duties. The Police Department currently has six marked squads plus the Chevrolet Tahoe (supervisor's vehicle) for patrol. A Chevrolet pickup is assigned to the CSO (Community Service Officer). At this time staff is proposing to replace two of these which are Impalas; 1304 and 1305. Bids were received from:

Kruse Ford-Lincoln, Inc.

Marshall, Minnesota

2016 Ford Interceptor Utility AWD

\$27,284.18

Optional rear view camera – located in mirror \$214.00

Keyless entry rather than keyed alike, Bid price \$27,444.18

The bid price does not include tax or license

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Midway Ford Commercial Fleet and Government Sales
 Roseville, Minnesota
 2016 Ford Interceptor Utility AWD
 \$25,680.46
 Additional options \$1,396.00

Member (**Larry Doom**) moved, Member (**Craig Schafer**) seconded to approve the **ORIGINAL** motion 'to award the purchase of two 2016 Ford Interceptor Utility AWD vehicles as specified for \$54,888.36 from Kruse Ford-Lincoln, the authorization for the conversion and set up of those two units for up to \$14,000, and the declaration of the current squads 1304 and 1305 to be declared surplus upon the arrival of the 2016 vehicles'. This will be paid out of account number 401-50151-5550. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried 7 - 0**

CONSIDER AWARD OF BIDS FOR EQUIPMENT: 1. PICK-UP FOR WASTEWATER. 2. PICK-UP FOR THE STREET DEPARTMENT. 3. PICK-UP FOR THE ENGINEERING DEPARTMENT:

WASTEWATER – Bids were opened bids on March 2, 2016 for a replacement pick-up for the Wastewater Department from:

Lockwood Motors, Inc. Marshall, Minnesota	Proposal A 2016 Chevy 1500 4X4	Proposal B 2016 Chevy 1500 4X4
Base bid	\$26,885.00	\$26,885.00
Trade-in	(2,000.00)	NA
Tax	<u>1,617.53</u>	<u>1,747.53</u>
Total bid	\$26,502.53	\$28,632.53
Lockwood Motors, Inc. Marshall, Minnesota	Proposal A 2016 Ram 1500 4X4 Tradesman	Proposal B 2016 Ram 1500 4X4 Tradesman
Base bid	\$25,655.00	\$25,655.00
Trade-in	(2,000.00)	NA
Tax	<u>1,537.58</u>	<u>1,667.58</u>
Total bid	\$25,192.58	\$27,322.58
Kruse Ford-Lincoln Marshall, Minnesota	Proposal A 2016 Ford F150	Proposal B 2016 Ford F150
Base bid	\$26,528.36	\$26,528.36
Trade-in	(2,800.00)	NA
Tax	<u>1,542.35</u>	<u>1,724.35</u>
Total bid	\$25,270.71	\$28,252.71

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Kruse Buick-GMC Marshall, Minnesota	Proposal A 2016 GMC K150	Proposal B 2016 GMC K150
Base bid	\$31,214.10	\$31,214.10
Trade-in	(2,800.00)	NA
Tax	<u>1,846.91</u>	<u>2,028.91</u>
Total bid	\$30,261.01	\$33,243.01

STREET DEPARTMENT – Bids were opened bids on March 2, 2016 for a replacement pick-up for the Street Department from:

Lockwood Motors Marshall, Minnesota	Proposal A 2016 Chevy 1500 4X4	Proposal B 2016 Chevy 1500 4X4
Base bid	\$26,885.00	\$26,885.00
Trade-in	(350.00)	NA
Tax	<u>1,724.78</u>	<u>1,747.53</u>
Total bid	\$28,259.78	\$28,632.53

Lockwood Motors Marshall, Minnesota	Proposal A 2016 Ram 1500 4X4 Tradesman	Proposal B 2016 Ram 1500 4X4 Tradesman
Base bid	\$25,655.00	\$25,655.00
Trade-in	(350.00)	NA
Tax	<u>1,644.83</u>	<u>1,667.58</u>
Total bid	\$26,949.83	\$27,322.58

Kruse Ford-Lincoln Marshall, Minnesota	Proposal A 2016 Ford F150	Proposal B 2016 Ford F150
Base bid	\$26,528.36	\$26,528.36
Trade-in	(800.00)	NA
Tax	<u>1,672.35</u>	<u>\$1,724.35</u>
Total bid	\$27,400.71	\$28,252.71

Kruse Buick-GMC Marshall, Minnesota	Proposal A 2016 GMC K1500	Proposal B 2016 GMC K1500
Base bid	\$31,214.10	\$31,214.10
Trade-in	(800.00)	NA
Tax	<u>1,976.91</u>	<u>2,028.91</u>
Total bid	\$32,391.01	\$33,243.01

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ENGINEERING DEPARTMENT – Bids were City opened bids on March 2, 2016 for a replacement pick-up for the Engineering Department from:

Lockwood Motors Marshall, Minnesota	Proposal A 2016 Chevy 1500 Double Cab	Proposal B 2016 Chevy 1500 Double Cab
Base bid	\$29,110.00	\$29,110.00
Trade-in	(500.00)	NA
Tax	<u>1,859.65</u>	<u>1,892.15</u>
Total bid	\$30,469.65	\$31,002.15
Lockwood Motors Marshall, Minnesota	Proposal A 2016 Ram Quad Cab Tradesman	Proposal B 2016 Ram Quad Cab Tradesman
Base bid	\$27,784.00	\$27,724.00
Trade-in	(500.00)	NA
Tax	<u>1,773.46</u>	<u>1,802.06</u>
Total bid	\$29,057.46	\$29,526.06
Kruse Ford-Lincoln Marshall, Minnesota	Proposal A 2016 Ford Extended Cab	Proposal B 2016 Ford Extended Cab
Base bid	\$29,683.36	\$29,683.36
Trade-in	(500.00)	NA
Tax	<u>1,896.92</u>	<u>1,929.42</u>
Total bid	\$31,080.28	\$31,612.78
Kruse GMC-Buick Marshall, Minnesota	Proposal A 2016 GMC 4 WD Double Cab	Proposal B 2016 GMC 4 WD Double Cab
Base bid	\$33,198.11	\$33,198.11
Trade-in	(500.00)	NA
Tax	<u>2,125.37</u>	<u>2,157.87</u>
Total bid	\$34,823.48	\$35,355.98

City staff recommends award of the bid for a new 2016 Dodge Ram 1500 4WD Regular Cab Member (**Larry Doom**) moved, Member (**Craig Schafer**) seconded to approve the **SUBSTITUTE** motion that the Council approve the following recommendations:

Purchase a 2016 Dodge Ram 1500 4WD Regular Cab Pick Up for the Wastewater Department from Lockwood Motors of Marshall, Minnesota, in the amount of \$25,751.70, which is the base bid of \$25,655.00, rim package in the amount of \$525.00 to bring base bid up to specifications, trade-in of the existing 2000 Chevrolet ½ ton 2WD

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Extended Cab in the amount of \$2,000.00 and sales tax in the amount of \$1,571.70. This motion also includes the purchase and installation of a strobe light for approximately \$250.00. This will be paid out of Account Number 602-90581-5550. The State CPV price of this unit including all minimum specifications is \$28,605.88, including tax and no trade-in.

Purchase a 2016 Dodge Ram 1500 4WD Regular Cab Pick Up for the Street Department from Lockwood Motors of Marshall, Minnesota, in the amount of \$27,881.70, which includes the base bid of \$25,655.00, rim package in the amount of \$525.00 to bring the base bid up to specifications and sales tax in the amount of \$1,701.70. This motion also includes the purchase and installation of a strobe light for approximately \$250.00. This will be paid out of Account Number 401-60211-5550. The State CPV price of this unit including all minimum specifications is \$28,605.88, including tax and no trade-in.

Declare the existing 1994 Chevrolet ½-ton 2WD Regular Cab and 8' Box as surplus property.

Purchase a 2016 Dodge Ram 1500 4WD Quad Cab Pick Up for the Engineering Department from Lockwood Motors of Marshall, Minnesota, in the amount of \$30,308.84, which includes the base bid of \$27,784.00, rim package in the amount of \$525.00, off-road package in the amount of \$150.00, and sales tax in the amount of \$1,849.84. This motion also includes the purchase and installation of a strobe light for approximately \$250.00 and a topper for approximately \$1,500.00. This will be paid out of Account Number 401-60162-5550. The State CPV price of this including all minimum specifications is \$30,409.89, including tax and no trade-in.

Declare the existing 1998 Ford ¾-ton 2WD Extended Cab and 6.5' Box as surplus property.

Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried. 7 - 0**

RED BARON ARENA AND EXPO - AWARD OF PROPOSAL FOR PROFESSIONAL WOOD LOCKERS FOR MEN'S AND WOMEN'S VARSITY LOCKER ROOMS:

Staff originally had looked at pre-manufactured steel lockers for the men's and women's varsity locker rooms at the Red Baron Arena & Expo. The State bid was \$80,647.00. Staff then looked at the alternative custom wood locker option in order to get a better quality to compare to the steel option. In the end, the cost was actually significantly less and the design is preferred over the pre-manufactured option. A revised floor plan that accommodates the heaters in the men's and women's varsity locker rooms was provided to the Council.

Bids were received on Tuesday, March 1, 2016. Bid documents were provided to three vendors. The City of Marshall received only one bid from Doom & Cuypers Construction, Marshall, Minnesota in the amount of \$60,474.

Member (Larry Doom) moved, Member (John DeCramer) seconded to approve the **ORIGINAL** motion 'that Council award the bid for custom wood lockers for the men's and women's varsity locker rooms at the Red Baron Arena & Expo to Doom & Cuypers

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Construction, Marshall, Minnesota in the amount of \$60,474.00'. Upon a roll call vote being taken, the vote was: Aye: 6 Nay: 1. The motion **Passed 6 – 1** with Bayerkohler voting no.

Member (**Craig Schafer**) moved, Member (**Larry Doom**) seconded to approve the **NEW** motion 'that the council approve an additional \$9,540 to Doom & Cuypers Construction, Marshall, Minnesota as a result of the revised floor plan'. Upon a roll call vote being taken, the vote was: Aye: 6 Nay: 1. The motion **Passed 6 - 1** with Bayerkohler voting no.

Mayor Byrnes called for a 5-minute recess at 7:03 P.M.

CONSIDER AUTHORIZATION TO PURCHASE A SCISSOR LIFT FOR THE SCHWAN REGIONAL AMATEUR SPORTS CENTER:

Preston Stensrud, Parks Supervisor, reviewed the proposal for a scissor lift for the Schwan Regional Amateur Sports Center for the purpose of maintenance for lighting, ventilation, electrical, and event transitions. The proposal was from Titan Machinery for a lightly used (approximately 140 hours) 26-ft. JLG Industries scissor lift. The retail price of the unit was approximately \$19,000.00, and it is available for \$9,000.00. It also includes a one-year or 100-hour warranty, whichever comes first, initial annual inspection and delivery to the site.

Member (**Larry Doom**) moved, Member (**Craig Schafer**) seconded to approve the **ORIGINAL** motion 'that the Council authorize the purchase of a used JLG Industries 2630ES Scissor Lift from Titan Machinery of Marshall, Minnesota, for the Schwan Regional Amateur Sports Center in the amount of \$9,000.00'. Upon a roll call vote being taken, the vote was: Aye: 6 Nay: 1. The motion **Passed 6 - 1** with Bayerkohler voting no.

CONSIDER AWARD OF BIDS FOR UTILITY VEHICLE FOR THE PARKS DEPARTMENT AND SALE OF EXISTING UNITS:

Proposals were received a utility vehicle for the Parks Department and the sale of existing utility vehicles:

Purchasing – one (1) new utility vehicle for Parks Department

Selling – one (1) 2005 Gator 4x4 from the Parks Department

Selling – one (1) 2003 Honda Rincon 4-wheeler from the Parks Department

	Proposal A (Unit & Trade-in)	Proposals B (Unit only)	Proposal C (Purchase existing Unit only)
Action Sports	Polaris 570	Polaris 570	2005 \$3,500.00
Marshall, Minnesota	\$13,360.00	\$13,360.00	2003 \$2,500.00
Trade-in 2005 Gator	(3,800.00)		
Trade-in 2003 Honda	<u>(2,300.00)</u>		
	\$ 7,260.00		

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	Proposal A (Unit & Trade-in)	Proposals B (Unit only)	Proposal C (Purchase existing Unit only)
Kesteloot Ent., Inc. Marshall, Minnesota Trade-in 2005 Gator Trade-in 2003 Honda	Kubota RTVX900 \$15,897.00 (5000.00) <u>(3,447.00)</u> \$ 7,450.00	Kubota RTVX900 \$12,575.00	No Bid
Kesteloot Ent., Inc. Marshall, Minnesota Trade-in 2005 Gator Trade-in 2003 Honda	Kubota RTVX1120 \$17,297.00 (5,000.00) <u>(3,697.00)</u> \$ 8,600.00	Kubota TRVX1120 \$13,675.00	No Bid
Schuneman Equipment Marshall, Minnesota Trade-in 2005 Gator Trade-in 2003 Honda	John Deere 825i \$13,000.00 (3,500.00) <u>(1,500.00)</u> \$ 8,000.00	John Deere 825i \$13,000.00	No Bid

The low bid for the new utility vehicle was from Kesteloot Enterprises, Inc. of Marshall, Minnesota, in the amount of \$12,575.00. This bid meets or exceeds all minimum requirements except for the horsepower specification, which is 0.9 hp less than the minimum requirement. However, the Kubota has additional payload capacity, box capacity, and hydraulic box lift capacity than specified. The best price for the outright sale of the existing equipment was from Action Sports in the total amount of \$5,500.00 (\$3,500 for the Gator + \$2,500 for the Honda).

Member (**Glenn Bayerkohler**) oved, Member (**Craig Schafer**) seconded to approve the **SUBSTITUTE** motion that the council approve the following recommendations:

Award the purchase of a Kubota RTVX900 from Kesteloot Enterprises, Inc., Marshall, Minnesota in the amount of \$12,575.00.

Award the sale of the existing 2005 Gator 4x4 to Action Sports, Marshall, Minnesota in the amount of \$3,500.00.

Award the sale of the existing 2003 Honda Rincon 4-Wheel to Action Sports, Marshall, Minnesota in the amount of \$2,000.00

Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried 7 - 0**

CONSIDER AWARD OF PROPOSAL FOR WOOD CHIPPER FOR STREET DEPARTMENT:

The City received three Cooperative Purchasing Venture (CPV) proposals on February 18, 2016 for the replacement wood chipper for the Street Department from:

Minnesota Equipment	RDO/Vermeer	Brush Bandit
Rogers, Minnesota	Burnsville, Minnesota	Burnsville, Minnesota
\$28,950.00	\$31,267.00	\$32,463.75

Glenn Olson, Director of Public Works/City Engineer, indicated that the low proposal came from Minnesota Equipment of Rogers, Minnesota, in the amount of \$28,950.00, including trade-in of \$3,950.00. As the City has not had any experience with this unit, and the vendor did not have a demo unit, staff was not confident in the product quality. Parts and service would also be an issue since it is out of town. The second low proposal came from RDO/Vermeer of Burnsville, Minnesota in the amount of \$31,267.00, including trade-in of \$3,500.00. Service and parts are local from RDO Equipment in Marshall, Minnesota. The third proposal came from Brush Bandit of Burnsville, Minnesota, in the amount of \$32,463.75, including trade-in of \$2,500.00.

Member (**Craig Schafer**) moved, Member (**Ellayne Conyers**) seconded to approve the **ORIGINAL** motion 'that the Council authorize the purchase of a new 2016 Vermeer BC 1000 XL Wood Chipper from RDO/Vermeer of Burnsville, Minnesota in the amount of \$31,267.00, no tax (tax exempt) and trade-in of the existing 1993 Vermeer 1220 Wood Chipper'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried 7 - 0**

APPROVAL OF CONSENT AGENDA

Member (**Larry Doom**) moved, Member (**Craig Schafer**) seconded to approve the **ORIGINAL** motion '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 an Off-Sale 3.2 Percent Malt Liquor License and a Tobacco License for Casey's Retail Company located at 1109 East College Drive to expire on December 31, 2016.

BE IT RESOLVED, that the City Council hereby (1) grants local unit of government approval to Southwest Minnesota Friends to hold a raffle on June 6, 2016 at the Ramada, 1500 East College 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.

Authorization be granted to the Department of Public Safety to dispose of four (4) vehicles considered as surplus. These vehicles will be auctioned on-line at the state site or will be taken to Alter Metal Recycling for disposal.

The approval of a Temporary On-Sale Liquor License for Marshall Area Chamber of Commerce to use at Big Stone Therapies, 1420 East College Drive, Marshall, Minnesota on April 27, 2016.

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The approval of a 3.2 Percent Malt Liquor License and a Tobacco License for JANU-8 LLC dba Freedom Valu, 304 East College Drive, Marshall, Minnesota to expire on December 31, 2016

The adoption of ORDINANCE NUMBER 706, SECOND SERIES granting D's Thai Restaurant an intoxicating malt liquor on-sale license.

The approval of a Temporary On-Sale Liquor License for Marshall Area Chamber of Commerce to use at Awards Plus, 501 South Highway 23, Marshall, Minnesota on May 18, 2016.

That the following bills and project payments be authorized for payment ACCOUNTS PAYABLE, Voucher No. 97557 through 97748.

CONSIDER AGREEMENT FOR CITY FUNDING AND DONATION FROM DNR FOR FLOATING PIER REPLACEMENT AT INDEPENDENCE PARK:

Preston Stensrud, Parks Supervisor, indicated that the DNR Parks & Trails has a limited budget for a fishing pier program. In order to maximize the available DNR funds and secure solid partnerships, DNR is asking local government agencies that request installation of fishing piers to donate matching funds. The cost of a 44-ft. fishing pier with appropriate ramp is approximately \$25,000. The City of Marshall is asked to enter into a cooperative agreement for the maintenance of this pier and is required to maintain access to the pier that is compliant with the American Disabilities Act (ADA). Independence Park is a wonderful setting for a fishing pier especially as it is part of the MNDNR Fisheries Kid Fishing Pond program.

The 2016 Parks budget included \$11,000 for this project under Account #401-70276-5520 (Capital-Parks-Buildings & Structures). A donation of \$10,000 towards the purchase of this fishing pier would secure the purchase of a 44 ft. fishing pier for Independence Park. The DNR will order the pier upon receiving a check for \$10,000 to "MNDNR Parks & Trails". The additional \$1,000 will be used for the development of the ADA ramp.

Member (**David Sturrock**) moved, Member (**Craig Schafer**) seconded to approve the **SUBSTITUTE** motion 'that the Council approve \$10,000 donation to DNR for the Fishing Pier Replacement at Independence Park'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried 7 - 0**

The cooperative agreement with MNDNR will be brought to the Council at a later date.

CONSIDER PROPOSALS FOR THE CITY ADMINISTRATOR SEARCH PROCESS:

Sheila Dubs, Human Resource Coordinator, indicated that staff sent a Request for Proposals to three executive search firms, requesting proposals for the hiring of a City Administrator. Those firms were: Brimeyer-Fursman Executive Search, David Drown Associates, Inc., and Waters & Company Executive Recruitment. The City was also contacted by another firm, The Mercer Group, requesting to submit a proposal. After receipt of the RFP, The Mercer Group firm sent an email communication declining the opportunity to submit a proposal. Proposals were due on March 4, 2016. Three proposals were received

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The Personnel Committee met on March 7, 2016 to review the proposals. Councilmember Craig Schafer was unable to attend and Mayor Byrnes was also present for the review and discussion on each proposal. The Personnel Committee is recommending David Drown Associates, Inc. as the consulting firm to provide executive search services.

Member (**Larry Doom**) moved, Member (**John DeCramer**) seconded to approve the **ORIGINAL** motion 'that the Council award David Drown Associates, Inc., the consulting firm to provide executive search services for the filling of the City Administrator position, in the amount of \$15,000'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried 7 - 0**

CONSIDER AMENDMENTS TO THE CITY WAGE SCHEDULES:

Ben Martig, City Administrator, indicated that City Staff has evaluated the organizational structure for parks, public ways (streets, airport, public ways), and administration-finance departments. Staff has also amended job descriptions for several job classifications and have developed job descriptions for several new job classifications planned for the Red Baron Arena & Expo and the finance department. The City's Hay pointing consultant has completed job evaluations for affected job classes. Staff is proposing the following implementation plan to be effective the first day of the next pay period (03/21/16):

A. Implementation for employees in job classifications with decreasing Hay points and pay ranges: past practice has been to "freeze" the employee at the existing rate of pay until the wage schedule catches up; this typically occurs through general wage increases approved by the City Council for all other non-union employees. The incumbent does not receive "cost of living" (general wage increases) until the wage rate of the employee is lower than the top rate of the job classification; then the incumbent would be adjusted to the top step on the schedule.

B. Implementation for employees in job classifications with increasing Hay points: past practice has been to move the employee to the "next nearest step" on the new wage schedule.

C. Where a job classification is being eliminated, the employee will be placed on the assigned position wage schedule at the "next nearest step". If there is not a "next nearest step", the employee will be placed at the top step of the assigned position. This may result in a decrease in pay.

The Council Personnel Committee met on Monday, March 7, 2016 to discuss the proposed changes. (Councilmember Schafer was not able to attend the meeting.) Following discussion, the Personnel Committee unanimously recommended to approve the wage schedule amendments for new positions only; that is, the Assistant Finance Director, Facility Maintenance Supervisor, Maintenance Technician, and Building Custodian. The Personnel Committee recommended to table a recommendation on the other proposed amendments for existing positions until the March 15, 2016 Council work session.

Member (**Larry Doom**) moved, Member (**John DeCramer**) seconded to approve the **ORIGINAL** motion 'that the Council approves amendments to the City 2016-2018 wage schedules for the Assistant Finance Director, Facility Maintenance Supervisor, Maintenance

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Technician, and Building Custodian and table the other proposed amendments for existing positions until March 15, 2016 Council work session'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried 7 - 0**

SCHWAN REGIONAL AMATEUR SPORTS CENTER – CONSIDER CHANGE ORDERS: 1) CHANGE ORDER NO. 3 (0330.003) FOR CONTRACT #0330 CAST-IN-PLACE CONCRETE WITH INNOVATIVE BUILDINGS OF ALEXANDRIA, INC. 2) CHANGE ORDER NO. 4 (0610.004) FOR CONTRACT #0610 CARPENTRY WITH ROBERT L. CARR CO. 3) CHANGE ORDER NO. 3 (0920.003) FOR CONTRACT #0920 DRYWALL/COLD FORMED METAL FRAMING WITH G.J.P., INC. 4) CHANGE ORDER NO. 5 (0930.005) FOR CONTRACT #0930 TILE WITH SUPERIOR TILE & TERRAZZO, INC. 5) CHANGE ORDER NO. 8 (0990.008) FOR CONTRACT #0990 PAINTING/COATINGS WITH STEINBRECHER PAINTING, INC. 6) CHANGE ORDER NO. 2 (2300.002) FOR CONTRACT #2300 HVAC/TEMPERATURE CONTROLS WITH GENERAL SHEET METAL COMPANY, LLC.:

These change orders have been prepared, reviewed and recommended for approval by the City's Construction Manager, Wenck for the Schwan Regional Amateur Sports Center.

Member (**Glenn Bayerkohler**) moved, Member (**John DeCramer**) seconded to approve the **ORIGINAL** motion 'that the Council approve the following change orders for the various contracts for the Schwan Regional Amateur Sports Center for a decrease in the amount of \$736.00'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried 7 - 0**

Change Order No. 3 (0330.002) for Contract #0330 Cast-In-Place Concrete with Innovative Buildings of Alexandria, Inc. of Alexandria, Minnesota resulting in a contract decrease in the amount of \$120.00.

Change Order No. 4 (0610.004) for Contract #0610 Carpentry with Robert L. Carr Co. of Marshall, Minnesota resulting in a contract decrease of \$616.00'. 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 the Council approve the following change orders for the Schwan Regional Amateur Sports Center for an increase in the amount of \$12,410.00'. 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. 3 (0920.003) for Contract #0920 Drywall/Cold Formed Metal Framing with G.J.P., Inc. of Sioux Falls, South Dakota resulting in a contract increase of \$8,325.00.

Change Order No. 5 (0930.005) for Contract #0930 Tile with Superior Tile & Terrazzo, Inc. of Forest Lake, Minnesota resulting in a contract increase of \$1,820.00.

Change Order No. 8 (0990.008) for Contract #0990 Painting/Coatings with Steinbrecher Painting, Inc. of Princeton, Minnesota resulting in a contract increase of \$413.00.

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Change Order No. 2 (2300.002) for Contract #2300 HVAC/Temperature Controls with General Sheet Metal Company, LLC of Minneapolis, Minnesota resulting in a contract increase of \$1,852.00.

MARSHALL LIQUOR STORE - CONSIDER CHANGE ORDER NO. 6 WITH SALONEK CONSTRUCTION & CONCRETE, INC. FOR THE LIQUOR STORE PROJECT IN THE AMOUNT OF \$716.00:

Ben Martig, City Administrator, reviewed Change Order #6 is for a recirculation pump. This proposal request is for a recirculation pump which was shown on the drawings, but was not scheduled (not in the specifications). During inspection, the pump was identified to be missing and not installed. The mechanical contractor is not proposing labor cost.

Member (**Craig Schafer**) moved, Member (**David Sturrock**) seconded to approve the **ORIGINAL** motion 'to approve Change Order No. 6 for Salonek Construction & Concrete, Inc. for the liquor store project in the amount of \$716.00'. 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.

PROJECT Z46: COMMERCE INDUSTRIAL PARK-TED – CONSIDER AWARD OF PROFESSIONAL ENGINEERING SERVICES PROPOSAL:

Glenn Olson, Director of Public Works/City Engineer, indicated that the City of Marshall has recently been awarded grant funding from the 2015 Economic Development (TED) from the 2015 Transportation Economic Development (TED) program to construct a new intersection and turn lanes at 240th Avenue and T.H. 68. The project is proposed to be constructed in 2016. This project is nearly identical to the project SEH completed in 2011 for the City of Marshall at T.H. 68 and Lake Road. This project includes the installation of turning lanes and an acceleration lane at the intersection of T.H. 68 and 240th Avenue, including the 240th Avenue approach and truck acceleration lane on T.H. 68. The improvement will include excavation and embankment, drainage, gravel base, asphalt surfacing, traffic control, and miscellaneous items. These improvements will provide access from the newly developing industrial park (Commerce Industrial Park) on the northwest side of Marshall to T.H. 68. The purpose of the project is to provide both car and significant truck traffic in and out of the industrial park for newly developing businesses. The improvement will enable a much safer intersection as much of the traffic will be semi-truck traffic. There is a significant amount of commuter traffic on T.H. 68 during the morning and evening rush hour. Bypass lanes and left turn lanes on T.H. 68 will allow free traffic movements through the intersection. The acceleration lane for westbound traffic will provide a much safer merging situation for both cars and heavy trucks. This new roadway access from the newly developing industrial park to T.H. 68 will provide access to approximately 150 acres of industrial property. The City of Marshall is currently engaged with business entities seeking to develop industrial property along with associated office development. This will provide additional jobs and investment within the City of Marshall. As Short Elliott Hendrickson, Inc., (SHE) of Mankato, Minnesota was the City's consultant for the previously constructed acceleration lanes and intersection improvement project and they are experienced in the process of TED project development and MN/DOT process, they were requested to provide a proposal for the professional services for this project. The City will provide the services as listed in the proposal. The proposal includes an hourly, not to exceed amount of \$61,000.00 for design services and \$76,500.00 for construction engineering services, for a total of the proposal on an hourly basis, not to exceed \$137,500.00. This amount is well within the ordinary and customary

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professional service costs for a construction project of this nature involving MN/DOT requirements.

Member (David Sturrock) moved, Member (Craig Schafer) seconded to approve the **ORIGINAL** motion 'that the Council award the Professional Engineering Services Agreement to Short Elliott Hendrickson, Inc. of Mankato, Minnesota, for Project Z46 – Commercial Industrial Park-TED in the amount of \$137,500.00 for design and construction engineering services'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried 7 - 0**

CONSIDER APPROVAL OF JOINT POWERS AGREEMENT BETWEEN THE CITY OF MARSHALL AND INDEPENDENT SCHOOL DISTRICT #413 RELATING TO THE ESTABLISHMENT AND OPERATION OF A JOINTLY SPONSORED COMMUNITY EDUCATION AND RECREATION PROGRAM:

This item was removed from the agenda.

COMMISSION/BOARD LIAISON REPORTS:

Byrnes No report.

Schafer No report.

Doom Personnel Committee items were acted on earlier in the meeting.

Bayerkohler Public Housing Commission will meet on March 14, 2016; Planning Commission will meet on March 9, 2016.

Sturrock There was an open house on February 24th for the Hwy 23 Assessment Project Airport Commission discussed the TKDA 20-year Master Plan; Public Improvement/Transportation Committee discussed how to regulate the use of motorized vehicles on the Pedestrian Over-Pass.

Conyers Community Services Advisory Board met last week and there are three new members on the board.

COUNCILMEMBER INDIVIDUAL ITEMS:

There are several potholes on East College Drive; the informational meeting for the upcoming projects was well attended; Mayor Byrnes and Glenn Olson, Director of Public Works/City Engineer, attended an Area Transportation Partnership meeting at MN/DOT District 8.

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CITY ADMINISTRATOR:

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

- Work is continuing on organizational issues
- Capital Projects – 2016 bonding
- Concrete performance issues on the second level of the main arena at the Red Baron Arena and Expo Center
- New City Logo
- Hwy 23 Project
- Joint City/County meeting on Hwy 23 Project
- Work Session to be held on March 15, 2016

DIRECTOR OF PUBLIC WORKS:

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

- Saratoga Street signing and stripping
- Street Department fire
- MN/DOT is responsible for pot holes on East College Drive
- Cracking of concrete on second floor of main arena at the Red Baron Arena and Expo Center – testing of concrete in process

CITY ATTORNEY:

Dennis Simpson, City Attorney, provided updates on the following:

- Liquor store title
- Library operation
- Legislative and Ordinance – needs to discuss the animal ordinance

PENDING ITEMS:

There were no questions on the pending items.

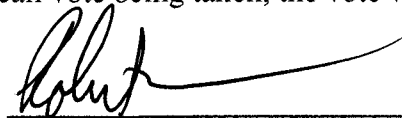
INFORMATION ONLY:

There were no questions on the information items.

UPCOMING MEETINGS

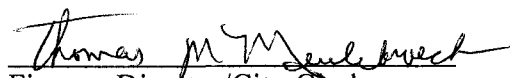
There were no questions on the upcoming meeting list.

Member (**Larry Doom**) moved, Member (**David Sturrock**) 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