

REGULAR MEETING – JULY 25, 2017

The regular meeting of the Common Council of the City of Marshall was held July 25, 2017 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 President Pro-Tem Sturrock. In addition to Sturrock the following members were in attendance: Craig Schafer, Steven Meister, Glenn Bayerkohler, John DeCramer, and James Lozinski. Absent: Robert Byrnes. Staff present included: Sheila Dubs, Interim City Administrator, Dennis Simpson, City Attorney; Glenn Olson, Director of Public Works/City Engineer; Karla Drown, Finance Director; Rob Yant, Director of Public Safety; Scott VanDerMillen, Director of Community Services; Marc Klaith, Fire Chief; Ilya Gutman, Plan Examiner; Preston Stensrud, Parks Superintendent; and Jane DeVries, City Clerk.

The Pledge of Allegiance was recited at this time.

APPROVAL OF AGENDA:

Member (**Craig Schafer**) Moved, Member (**John DeCramer**) Seconded to approve the **ORIGINAL** motion 'approve agenda'. Upon a roll call vote being taken, the vote was: Aye: 6 Nay: 0. The motion **Carried 6 - 0**

CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR MEETING HELD ON JULY 11, 2017 AND THE MINUTES OF THE SPECIAL MEETING HELD ON JULY 18, 2017:

Member (**Craig Schafer**) Moved, Member (**Steven Meister**) Seconded to approve the **ORIGINAL** motion 'that the minutes of the regular meeting held on July 11, 2017 and the minutes of the special meeting held on July 18, 2017 be approved and that the reading of the same be waived'. Upon a roll call vote being taken, the vote was: Aye: 6 Nay: 0. The motion **Carried 6 - 0**

CONSIDER REQUEST FROM SOUTHWEST MINNESOTA HOUSING PARTNERSHIP (SWMHP) TO REFINANCE TAX-EXEMPT BONDS:

This was the date and time set for a public hearing on the Issuance of Housing Revenue Refunding Bonds for a Facility in the City of Marshall. Shannon Sweeney, Associate from David Drown Associates, Inc., was in attendance to conduct the public hearing. Mr. Sweeney indicated that the Southwest Minnesota Housing Partnership (SWMHP) initiated the process to refinance the tax-exempt bonds that were issued in 2004 to fund in part the acquisition of the Parkway Townhomes from the City of Marshall. In order for the SWMHP to complete this process, host approval is required from the local unit of government in which the proceeds from the new tax exempt bonds will be spent. He also indicated that the City of Marshall has no financial responsibility.

Member (**John DeCramer**) Moved, Member (**Steven Meister**) Seconded to approve the **ORIGINAL** motion 'close the public hearing'. Upon a roll call vote being taken, the vote was: Aye: 6 Nay: 0. The motion **Carried 6 - 0**

Member (**Steven Meister**) Moved, Member (**Craig Schafer**) Seconded to approve the **NEW** motion 'adopt RESOLUTION NUMBER 4412, SECOND SERIES Giving Host Approval to the

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Issuance of Housing Revenue Refunding Bonds (Southwest Minnesota Housing Partnership Project) by the City of Jackson, Minnesota'. Upon a roll call vote being taken, the vote was: Aye: **6** Nay: **0**. The motion **Carried 6 - 0**

Member (**Craig Schafer**) Moved, Member (**Steven Meister**) Seconded to approve the **NEW** motion 'approval of the Joint Powers Agreement'. Upon a roll call vote being taken, the vote was: Aye: **6** Nay: **0**. The motion **Carried 6 - 0**

CONSIDER AWARD OF BIDS FOR ONE (1) NEW PICK-UP TRUCK FOR THE PARKS DEPARTMENT:

The Equipment Review Committee met on June 26, 2017 to review the specifications for a pickup truck for the Parks Department. There was considerable discussion on whether to consider the purchase of a half-ton pick-up vs. a three-quarter ton pick-up.

Proposals were received for both units. The additional cost between the low proposal for each size of pick-up is \$1,046.89. This unit will be replacing a 2002 Ford F-150. Council has approved the replacement of this unit and included \$31,000.00 in the 2017 Equipment Bond. Proposals were received on July 12, 2017 from:

	Proposal A Vehicle & Trade-In	Proposal B Vehicle Only
Lockwood Motor's - Chevy Marshall, Minnesota	\$31,321.65 with Power Group (Deduct \$360 w/o Power group)	\$33,984.15 with Power Group (Deduct \$360 w/o Power group)
Lockwood Motor's - Dodge Marshall, Minnesota	\$30,400.43 with Power Group (Deduct \$195 w/o Power group)	\$31,952.13 with Power Group (Deduct \$195 w/o Power group)
Kruse Motors – GMC Marshall, Minnesota	\$32,566.12 with Power Group (Deduct \$258.10 w/o Power group)	\$33,631.12 with Power Group (Deduct \$258.10 w/o Power group)

Proposal A – purchase one (1) new or current model ½ ton 4WD crew cab pickup with 5.5' box with trade-in of one (1) 2002 Chevrolet F-150 2WD ½ ton pickup

Proposal B – purchase one (1) new or current model ½ ton 4WD crew cab pickup with 5.5' box

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	Proposal A Vehicle & Trade-In	Proposal B Vehicle Only
Lockwood Motor's - Chevy Marshall, Minnesota	\$31,952.13 with Power Group (Deduct \$360 w/o Power group)	\$34,614.63 with Power Group (Deduct \$360 w/o Power group)
Lockwood Motor's - Dodge Marshall, Minnesota	\$31,447.32 with Power Group (Deduct \$190 w/o Power group)	\$34,109.82 with Power Group (Deduct \$190 w/o Power group)
Kruse Motors – GMC Marshall, Minnesota	\$42,824.74 with Power Group (Deduct \$9,369.60 w/o Power group)	\$43,889.03 with Power Group (Deduct \$9,369.60 w/o Power group)

Proposal A – purchase one (1) new or current model ¾ ton 4WD crew cab pickup with 5.5' box with trade-in of one (1) 2002 Chevrolet F-150 2WD ½ ton pickup

Proposal B – purchase one (1) new or current model ¾ ton 4WD crew cab pickup with 5.5' box

There was considerable discussion on whether to purchase the ½ ton or ¾ ton pickup. It was indicated that the 2002 ½ ton pickup was used to haul equipment that was too heavy and damaged the transmission requiring the replacement of the transmission. The 2002 pickup has 74,000 miles. Preston Stensrud, Parks Superintendent, indicated that the ¾ ton pickup would be a better option for his department. It was suggested that the Parks Department continue to use the 2002 pickup for a couple of more years and at that time solicit proposals for a ¾ ton 4WD vehicle.

Member (**James Lozinski**) Moved, Member (**Steven Meister**) Seconded to approve the **SUBSTITUTE** motion 'that the proposals for a new pick-up truck for the Parks Department be rejected'. Upon a roll call vote being taken, the vote was: Aye: **6** Nay: **0**. The motion **Carried 6 - 0**

CONSIDER AWARD OF PROPOSAL FOR A BATTING CAGE/ INSTALLATION AT SOUTHWEST AMATEUR SPORTS COMPLEX:

Preston Stensrud, Parks Superintendent, indicated that as they get near the completion of the new fields at the Southwest Amateur Sports Complex there are a couple items/projects that are included in the master plan for the facility but have not been awarded at this time. The batting cages, arches, shelter house, and playground are the items to be finished. American Fence Company will be back to complete the rest of the fencing that is under contract at the new fields in the coming weeks and installing the batting cage while their installation crew is here will save considerable money as well time and labor for Parks staff versus waiting until a later time. After installation, the approximate cost of getting nets, pitching screens, pulleys, ag-lime, etc. is estimated at \$4,000. Parks staff will complete these items.

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Member (**Craig Schafer**) Moved, Member (**James Lozinski**) Seconded to approve the **ORIGINAL** motion 'that the Council award the proposal for a batting cage to American Fence Company of Rochester, MN in the amount of \$13,749.00 plus an additional \$4,000 for Parks staff to complete the nets, pitching screens, pulleys, ag-lime, etc.'. This will be funded from account number 413-70577-5530 Capital-SMASC Ballparks Improvements Other. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **1**. The motion **Passed 5 - 1** with Bayerkohler voting no.

APPROVAL OF CONSENT AGENDA:

Member (**Craig Schafer**) Moved, Member (**Steven Meister**) 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: **6** Nay: **0**. The motion **Carried 6 - 0**

The approval of a contract with Nelly Entertainment to provide an obstacle course and inflatable venue for the National Night Out event on Tuesday, August 1, 2017.

The approval of a Temporary 3.2 Percent Malt Liquor License for the VFW Post 742 for the month of August at the Lyon County Fairgrounds.

The approval of a Temporary On-Sale Liquor License for Marshall Area Chamber of Commerce to use at Toni's Plaza, 1411 East College Drive, Marshall, Minnesota on August 8, 2017.

That the following bills and project payments be authorized for payment: ACCOOUNTS PAYABLE, Voucher No. 104595 through 104806 and Draft No. 345 through 353.

REVIEW OF CITY ADMINISTRATOR POSITION PROFILE:

Gary Weiers, Consultant from David Drown Associates, Inc., was in attendance at the meeting to present the position profile, reviewed the job description, discussed the interview process, and determine dates of final interviews. A timeline was also provided. The candidate recruitment phase will be initiated on July 26, 2017 for four weeks (July 26 - August 23, 2017).

CONSIDER APPROVAL FOR PURCHASE OF REPLACEMENT PLAYGROUND EQUIPMENT PROJECT AT LIBERTY PARK:

Preston Stensrud, Parks Superintendent, has been working with two local groups over the last several months to come up with a plan for the replacement of the existing playground equipment at Liberty Park. The current playground structure is made of pressed plywood and plastic. The pressed plywood and wood supporting posts are rotting. The current sand base is not an ADA compliant material and the abrasiveness of the sand is hard on the equipment.

The City of Marshall, the Marshall Sunrise Rotary, and the Marshall Fire Department Relief Association have teamed together on a plan for replacement with equally shared costs pending City Council approval.

The total cost of the equipment is \$40,538.65. This price includes all equipment and ADA compliant engineered wood fiber mulch to replace the sand. Parks Department staff, the Rotary

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members, and members of the Marshall Fire Department will work together on the installation of the new equipment.

The Marshall Sunrise Rotary and Marshall Fire Department Relief Association have agreed to pay \$13,512.88 each over a maximum of two years with at least half being paid prior to December 15, 2017. The City of Marshall would be required to pay for the total cost of equipment initially, in order to be able to place the order and begin the installation.

St. Croix Recreation Fun Playground Inc., is the State contract holder for Playground Equipment. This project is in the existing City of Marshall 5-year Capital Improvement Plan (CIP request for 2018 at a projected expense to the City of \$30,000).

The initial purchase of this unit in the amount of \$40,538.65 will be funded from Account No. 401-70276-5530 (Capital – Parks Department – Improvements Other). This is not a 2017 budgeted item. City staff recommends utilizing the Capstone Endowment Fund for the City share of this project in the amount of \$13,512.88. The current balance of the Capstone Endowment Fund is \$37,523.00.

Member (**Craig Schafer**) Moved, Member (**Steven Meister**) Seconded to approve the **ORIGINAL** motion 'Council approves the project and the purchase of replacement playground equipment at Liberty Park in the amount of \$40,538.65 to be paid out of Account Number 401-70276-5530 Capital-Parks Department-Improvements-Other. The Marshall Sunrise Rotary and Marshall Fire Department Relief Association will each reimburse the City of Marshall \$13,512.88 leaving a total of \$13,512.88 for the City's share which will be taken from the Capstone Endowment Fund'. Upon a roll call vote being taken, the vote was: Aye: **6** Nay: **0**. The motion **Carried 6 - 0**

REQUEST ADDITIONAL FUNDING APPROVAL FOR FREEDOM PARK SIDEWALK PROJECT:

At the Tuesday, October 11, 2016 meeting, Council accepted the recommendation as submitted to utilize Public Improvement funds for a new sidewalk through Freedom Park. Buffalo Ridge Concrete generously agreed to provide a donation towards the project resulting in a reduction of the concrete expenditure by \$4,448.00. The final cost to the City was approved at \$11,120.00. As the project approaches the initial stages, City staff recommends replacing the existing asphalt around the shelter house and bathroom with concrete. This work can be completed simultaneously while the sidewalk is being installed. This additional work increases the cubic yards of concrete necessary to an estimated 187 cubic yards. This also increases the originally approved cost by an estimated \$4,580.00. Buffalo Ridge has indicated they will honor their original donation of concrete as well as the additional cubic yards requested. Public Works and Parks are working together on this project.

Member (**Steven Meister**) Moved, Member (**John DeCramer**) Seconded to approve the **ORIGINAL** motion 'Council to approve additional funding in the amount of \$4,580.00 for completion of Freedom Park sidewalk project as presented'. The additional \$4,580.00 will be paid from Public Improvement Funds / Park Maintenance & Development Account Number

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495-70276-5530. Upon a roll call vote being taken, the vote was: Aye: **6** Nay: **0**. The motion **Carried 6 - 0**

INTRODUCTION OF AMENDMENTS TO EXTERIOR APPEARANCE STANDARDS ORDINANCE AND CALL FOR PUBLIC HEARING:

Glenn Olson, Director of Public Works/City Engineer, indicated that during the last Planning Commission meeting discussing a variance for not complying with the exterior appearance standards, Chairman Fox brought up an existing Ordinance provision that permits the Planning Commission to approve materials as comparable or superior to those listed in the Ordinance within each material class. As a result, a material that looked like wood or fiber cement siding, which are both listed as Class III materials in the Ordinance, was approved as a Class II material. During the meeting, several members of the Planning Commission said that they do not qualify and do not feel comfortable making decisions regarding appearance and aesthetics.

Consequently, the City staff is recommending changing the Ordinance to remove a provision requiring the Planning Commission to make any aesthetics decisions. Accordingly, people who desire to use a material not specifically listed in the Ordinance will have to apply for a variance permit. As an alternative, they will be able to ask for the Ordinance change to include a new material on a list of approved materials. During the June 14, 2017, regular Planning Commission meeting, this amendment was discussed and recommended for adoption by 4 to 0 vote. At the meeting on July 10, 2017, Legislative and Ordinance Committee voted to recommend to council the approval of Amendments to Exterior Appearance Standards Ordinance as recommended by staff.

There was considerable discussion on the proposed amendments to exterior appearance standards. Meister's concern was on who determines the classifications. Lozinski indicated that the ordinance should be removed and re-done. He indicated that Marshall standards were too restrictive and getting variances was costly.

Member **(Craig Schafer)** Moved, Member **(John DeCramer)** Seconded to approve the **ORIGINAL** motion 'that the Council introduce the Amendments to Exterior Appearance Standards Ordinance and Call for Public Hearing to be held on August 8, 2017'. Upon a roll call vote being taken, the vote was: Aye: **4** Nay: **2**. The motion **Passed 4 - 2** with Lozinski and Meister voting no.

INTRODUCTION OF CENTRAL HERITAGE DISTRICT EXTERIOR CONSTRUCTION STANDARDS ORDINANCE AMENDMENT AND CALL FOR PUBLIC HEARING:

Glenn Olson, Director of Public Works/City Engineer, indicated that during the last Planning Commission meeting discussing a variance for not complying with the exterior appearance standards, several members of the Planning Commission said that they do not qualify and do not feel comfortable making decisions regarding appearance and aesthetics. Consequently, the City staff is changing the Ordinance to remove a provision allowing the Planning Commission to make any aesthetics decisions choosing materials for the Central Heritage District, a change similar to the one made to general Exterior appearance standards ordinance. At the meeting on July 10, 2017, Legislative and Ordinance Committee voted to recommend to council the

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approval of amendment to Central Heritage District Exterior Construction Standards Ordinance as recommended by staff.

Member (**Craig Schafer**) Moved, Member (**John DeCramer**) Seconded to approve the **ORIGINAL** motion 'that the Council introduce the Amendment to Central Heritage District Exterior Construction Standards Ordinance and call for public hearing to be held on August 8, 2017'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **1**. The motion **Passed 5 - 1** with Lozinski voting no.

INTRODUCTION OF NONCONFORMING USE ORDINANCE AMENDMENTS AND CALL FOR PUBLIC HEARING:

Glenn Olson, Director of Public Works/City Engineer, indicated that a council member brought up a State Statute that allows the cities to permit continuation of nonconforming uses and structures in case they are destroyed by fire or other peril if the owner applies for a building permit to rebuild the structures within 180 days. The city attorney reviewed the State Statute and concurred. Therefore, the City staff has revised the Ordinance accordingly to help people avoid extra expenses. A provision is also added to prevent this from being abused (for example; building a two-car garage instead of a burned one car garage). During the June 14, 2017, regular Planning Commission meeting, this amendment was discussed and recommended for adoption by 4 to 0 vote. At the meeting on July 10, 2017, Legislative and Ordinance Committee voted to recommend to council the approval of Nonconforming Use Ordinance Amendments as recommended by staff.

Member (**Craig Schafer**) Moved, Member (**John DeCramer**) Seconded to approve the **ORIGINAL** motion 'that the Council introduce the Amendments to Nonconforming Use Ordinance and call for public hearing to be held on August 8, 2017'. Upon a roll call vote being taken, the vote was: Aye: **6** Nay: **0**. The motion **Carried 6 - 0**

CONSIDER AMENDMENT TO THE 2017 FEE RESOLUTION:

Sheila Dubs, Interim City Administrator, reviewed the proposed amendments to the 2017 Fee Resolution. In addition to technical changes, amendments are reflected pertaining to Special Vehicle Operating Licensure for non-profit groups, Studio One services and fees, rate schedule for the Channel Pkwy Complex and Amateur Sports Complex, fees related to the Arena and Expo usage, and a fee structure for both private business and government/non-profit agencies related to the driving course at the MERIT Center.

Member (**Craig Schafer**) Moved, Member (**James Lozinski**) Seconded to approve the **ORIGINAL** motion 'the adoption of RESOLUTION NUMBER 4413, SECOND SERIES approving the amendments to the City of Marshall Fee Resolution'. Upon a roll call vote being taken, the vote was: Aye: **6** Nay: **0**. The motion **Carried 6 - 0**

INTRODUCTION OF ORDINANCE AMENDING CHAPTERS 2, 6, 22, 30, 38, 42, 50, 54, 62, 66, 70, 74, 78 AND 82 OF THE CODE OF ORDINANCES:

Sheila Dubs, Interim City Administrator indicated that on March 28, 2016 through a reorganization of the Administration department, the position of Finance Director/City Clerk was separated into two positions; City Clerk and Finance Director. With this organizational change,

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the Code of Ordinances requires amendment; designating the responsibilities of the City Clerk or the Finance Director, as applicable. In addition to the amendment noted above, staff recommend technical changes within these same ordinances; references to the pronoun "He/Him" have been either removed or made neutral. The recommended amendments have been reviewed by the City Clerk, Finance Director, Director of Public Works/City Engineer and the City Attorney

Member (**Steven Meister**) Moved, Member (**Craig Schafer**) Seconded to approve the **ORIGINAL** motion 'that the council introduce the Ordinance amending Chapters 2, 6, 22, 30, 38, 42, 50, 54, 62, 66, 70, 74, 78 and 82 of the Code of Ordinances'. Upon a roll call vote being taken, the vote was: Aye: **6** Nay: **0**. The motion **Carried 6 - 0**

CONSIDER APPROVAL OF A TEMPORARY ON-SALE LIQUOR LICENSE FOR SOUTHWEST MINNESOTA STATE UNIVERSITY FOUNDATION FOR SEPTEMBER 30, 2017:

Member (**John DeCramer**) Moved, Member (**Steven Meister**) Seconded to approve the **ORIGINAL** motion 'the approval of a Temporary On-Sale Liquor License for Southwest Minnesota State University Foundation to use on September 30, 2017 at the Red Baron Arena & Expo, 400 Tiger Drive, Marshall, Minnesota'. 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.

CONSIDER APPROVAL OF A TEMPORARY ON-SALE LIQUOR LICENSE FOR SOUTHWEST MINNESOTA STATE UNIVERSITY FOUNDATION FOR SEPTEMBER 29 & 30, 2017:

Member (**Craig Schafer**) Moved, Member (**James Lozinski**) Seconded to approve the **ORIGINAL** motion 'the approval of a Temporary On-Sale Liquor License for Southwest Minnesota State University Foundation to use on September 29 & 30, 2017 at the RA Facility and Parking Lot, 400 Mustang Trail, Marshall, Minnesota'. 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.

CONSIDER APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS:

Per the recommendation of President Pro-Tem Sturrock, Member (**Craig Schafer**) Moved, Member (**Steven Meister**) Seconded to approve the **ORIGINAL** motion 'approval of appointment to the various boards and commissions'. Upon a roll call vote being taken, the vote was: Aye: **6** Nay: **0**. The motion **Carried 6 - 0**

Airport Commission – Ron Halgerson be appointed to an unexpired term to expire on May 31, 2018

Airport Commission – Larry Doom be appointed to an unexpired term to expire on May 31, 2019

COMMISSION/BOARD LIAISON REPORTS:

Schafer Merit Center met on July 20th, Jasmine DeSmet has been hired as the new Coordinator for the Merit Center.

Meister No report.

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Bayerkohler No report.

Sturrock No report.

DeCramer EDA discussed the 2018 budget; Utilities Commission DeCramer was not at the meeting but indicated that MMU has applied for a \$9,000,000 grant for a water softening project; PrairieNet Wan met and voted to dissolve their Joint Action status and now be a User Group. This will need to be approved by the members of PrairieNet Wan.

Lozinski Marshall Area Transit – met but Lozinski was unable to attend.

COUNCILMEMBER INDIVIDUAL ITEMS:

Council member Lozinski asked the council members to visit with the residents about the proposed ordinance changes and encourage them to attend the public hearing. Sturrock indicated that the Ribbon Cutting for the completion of the Camden Regional Bike Trail was held on July 12th; SRDC Annual Transportation meeting was held on July 12th talked about highway and other improvements in Southwest Minnesota. July 18th several met with MN/DOT to talk about grants for passing lanes and other improvements; discussion on agreement from mayor and direction of staff to distribute Committee Agenda's to all the Council Members and not just the committee members.

CITY ADMINISTRATOR

Sheila Dubs, Interim City Administrator, indicated that National Night Out will be held on August 1st; there is a Council Work Session on July 31st at the MERIT Center and there is a Water Quality Town meeting scheduled for August 17th at SMSU.

DIRECTOR OF PUBLIC WORKS:

No report.

CITY ATTORNEY:

Denis Simpson, City Attorney, indicated he continues to review proposed ordinances and review of construction contracts.

PENDING ITEMS

There were no questions on the pending items.

INFORMATIONAL ONLY REGARDING LEGISLATIVE & ORDINANCE COMMITTEE DISCUSSION REGARDING TAXI CAB ORDINANCE, FOOD TRUCK REGULATIONS AND MASSAGE PARLOR ORDINANCE:

At the Council's direction, City Attorney met with the Legislative & Ordinance Committee on Monday, July 10, 2017 to discuss several topics. City Attorney provided information to L&O Committee members regarding taxi cab regulations, food truck ordinance regulations and massage parlor ordinance regulations. Prior to that meeting, City Attorney had provided copies of ordinances on all three topics from various communities within the State of Minnesota. The purpose of the L&O meeting was to glean from the L&O members, their desire to regulate/restrict the various businesses. The meeting was held as scheduled on Monday, July 10,

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2017. Committee Member Bayerkohler was unable to attend the meeting because of other family commitments. Committee Members Meister and DeCramer were present. The purpose of this memorandum is informational only, as additional information and proposals will be forthcoming in the future. Discussions at the meeting included the following:

1. Taxi cabs. As a general matter, L&O Committee Members are generally satisfied with the existing Marshall ordinances. Committee members did not want to add any additional regulations but have sought some minor tweaks or clarifications to existing ordinances. In addition, Council Member Bayerkohler met with City Attorney on Thursday, July 20, 2017 and did express desire for other tweaks to the ordinances. In addition, Council Member Bayerkohler has recommended that the proposed changes be forwarded to the licensed taxi companies prior to discussion at Council. Therefore, it was decided that taxi issues would not be addressed by Council on July 25, 2017 as attempts to draft ordinances on the fly during the meeting would be counterproductive. Therefore, clarifications to our local ordinances will be prepared and can be addressed at the first meeting in August.

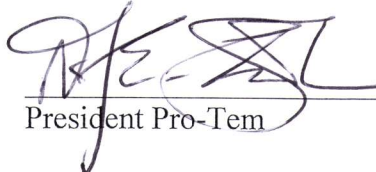
2. Food Truck Ordinance. Copies of ordinances regulating food trucks were provided to L&O members. It was the consensus view of those committee members present that food trucks could fall under the transient merchant guidelines and would require transient merchant license if the food vendor does not have local presence. If a local business does have food truck/trailer, etc. they should be allowed to operate reasonably within the City of Marshall. L&O Committee Members are not in favor drafting a food truck regulatory ordinance unless or until it is deemed necessary either by law enforcement, finance or some other City department.

3. Massage Parlor ordinance. State of Minnesota is one of several states that do not have regulations regarding massage parlor licenses. City law enforcement has not been able to confirm any problems with any existing massage parlor, and as such L&O Committee Members were not recommending any local ordinance or regulation of this matter. L&O Committee Members would prefer that the State of Minnesota take the regulatory lead on these matters. This information is provided for informational purposes only. If other Council members have other ideas, suggestions, or recommendations, City Attorney would welcome those thoughts or recommendations in anticipation of addressing these matters at the first meeting in August.

UPCOMING MEETINGS:

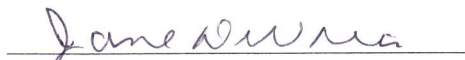
There were no questions on upcoming meetings.

Member (**Craig Schafer**) Moved, Member (**Steven Meister**) Seconded to approve the **ORIGINAL** motion 'adjourn meeting'. Upon a roll call vote being taken, the vote was: Aye: 6
Nay: 0. The motion **Carried 6 - 0**



President Pro-Tem

ATTEST:



City Clerk