

REGULAR MEETING – NOVEMBER 28, 2017

The regular meeting of the Common Council of the City of Marshall was held November 28, 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 Mayor Byrnes. In addition to Byrnes the following members were in attendance: Craig Schafer, Steven Meister, Glenn Bayerkohler, David Sturrock and James Lozinski. Absent: DeCramer. Staff present included: Sharon Hanson, City Administrator; Dennis Simpson, City Attorney; Glenn Olson, Director of Public Works/ City Engineer; Karla Drown, Finance Director; Jim Marshall, Interim Director of Public Safety; Scott VanDerMillen, Director of Community Services; Jim Marshall, Interim Director of Public Safety; Sheila Dubs, Human Resource Manager; Ilya Gutman, Plan Examiner; Cathey Lee, Executive Assistant; Bob VanMoer, Wastewater Superintendent; Barb Lipinski, Coordinator of the Adult Community Center; Jane DeVries, City Clerk and Kyle Box, City Clerk effective December 1, 2017.

The Pledge of Allegiance was recited at this time.

APPROVAL OF AGENDA:

Council Member, Schafer, requested to add a discussion session to the agenda to take place following approval of the minutes. This session would allow the public or a spokesperson present to discuss the call for review of the building inspection department. There was a general consensus by the council to add the discussion session and approve the agenda.

CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR MEETING AND COUNCIL WORK SESSION HELD ON NOVEMBER 14, 2017:

Member (**Craig Schafer**) Moved, Member (**James Lozinski**) Seconded to approve the **ORIGINAL** motion 'that the minutes of the regular meeting and council work session held on November 14, 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**

DISCUSSION SESSION:

Mayor Byrnes began the discussion session by providing background information on the call for review of the building inspection department. At a previous meeting, Council Member, Lozinski, suggested forming a task force made up of local contractors and City Council members to address concerns of building issues in the community. Council agreed and Interim City Administrator, Sheila Dubs and Mayor Byrnes met with local spokesmen and asked that they provide members of the group to the task force while the Mayor assigns Council Members.

Chet Lockwood, Spokesperson, discussed the issues with Council concerning the building inspection department. Mr. Lockwood called for a culture change within the department and called for the leaders of the department to make changes for what is best for the community. Spokesperson Lockwood called for the formation of a committee made up of building experts within their industry and not one person pushing their agenda. Lockwood formerly requested that this item be put on the agenda for two weeks from now for the December 12, 2017 regular council meeting. Mayor Byrnes asked if the Group was prepared to provide names for the task force. Lockwood reiterated that a culture change was needed before a committee was formed. A member from the gallery asked for a hand show of support, numerous hands were raised.

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Council Member, Schafer, thanked the attendees for coming and provided a summary of the discussion. City Council has heard the Group's concerns and would like to fully understand its needs moving forward to insure Marshall's positive growth and development. Schafer assured the community and local businesses that there would not be any retaliation for bringing this issue forward. The Council will do everything in their power to be fair and just while following the process.

Dr. Leroy Affolter, came forward a citizen of Marshall. Dr. Affolter referred to the City's codes and ordinances as guidelines and not absolutes and brought to question that are the discrepancies compromising safety to building owner or to the public.

Greg Taylor spoke and stated that we are all done with dialogue, forming new committees and researching the codes. Taylor spoke of a vicious, redundant, hand tying problem and called for change by Council.

APPROVAL OF CONSENT AGENDA:

Council Member, Bayerkohler requested that item 6, Consider authorization to approve Towing and Storage Agreement between the City of Marshall and Pulver Motor Service, LLC and item 8, Consider a variance extension for Border Electric at 609 S 4th Street, to be pulled for discussion.

Member (**Steven Meister**) 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: **6** Nay: **0**. The motion **Carried. 6 - 0**

Approval of an Engagement Letter for Audit Services for 2017 Financial Statements. The gross fee is estimated to be approximately \$42,975 for the audit of 2017 financial statements.

Approval of a variance extension for ISD 413 Parkside School at 1300 E Lyon Street.

Approval of an application for a Temporary On-Sale Liquor License for Friends of the Orchestra LTD to use on December 5, 2017 at Holy Redeemer Church, 501 West Lyon Street, Marshall, MN.

Approval of an application for a Temporary On-Sale Intoxicating Liquor License for Lyon County Historical Society to us on December 14, 2017 at 301 West Lyon Street, Marshall, MN.

Approval of a LG220 Application for Exempt Permit for the Marshall Golf Club for March 17, 2018. 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 March 17, 2018 at the 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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Adoption of a RESOLUTION NUMBER 4447, SECOND SERIES, Adopting a Complete Streets Policy for the City of Marshall.

Approval of the bills/project payments.

CONSIDER AUTHORIZATION TO APPROVE TOWING AND STORAGE AGREEMENT BETWEEN THE CITY OF MARSHALL AND PULVER MOTOR SERVICE, LLC:

The City of Marshall solicits bids for towing and storage of vehicle services every two years. Pulver Motor Service, LLC (formerly Southwest Towing & Recovery) holds the current contract which is set to expire December 31, 2017. The City of Marshall did solicit bids for the 2018 and 2019 time periods. The only bid submitted was the bid from Pulver Motor Service, LLC. The bid as submitted by Pulver Motor Service, LLC is for the price of \$75.00 per tow and storage fees of \$20.00 per day for outside storage and \$40.00 per day for inside storage.

Council Member Bayerkohler discussed the contract and the insurance bidder's insurance requirements. Joshua Schafer of Pulver Motor Service, LLC, did speak and asked that our bids request an insurance minimum as it is common practice.

Member (**Glenn Bayerkohler**) Moved, Member (**David Sturrock**) Seconded to approve the **ORIGINAL** motion 'Approve Towing and Storage Agreement between the City of Marshall and Pulver Motor Service, LLC and authorize the appropriate officials to sign said agreement. Council Member, Meister, called for a friendly amendment to add that the insurance coverages be added to the contract. This was accepted by Members Bayerkohler and Sturrock. Upon a roll call vote being taken, the vote was: Aye: 6 Nay: 0. The motion **Carried. 6 – 0**

CONSIDER A VARIANCE EXTENSION FOR BORDER ELECTRIC AT 609 S 4TH STREET:

This is a request by the Minnesota Valley Broadcasting, the Owner, and Border State Electric, the tenant, to extend a variance to allow outside storage of construction materials within existing fence for 1 year. This building is located at the corner of South 4th Street and Lucille Street. This building is located in a B-3 General Business district while the area on the other side of Lucille Street is zoned R-1 Single family residential. Original Conditional Use Permit issued in 1974 classified a nonconforming use as conforming one for then current B-1 District. Current General Business district permits a wholesale operation with no outside storage. Currently there is a 75 feet by 30 feet yard enclosed with 6-foot-tall fence around and that is being used for storage. Four years ago, a Variance permit to allow exterior storage within existing fence was approved for this location for 24 months to give the owner time to find another location. The applicant asserted that they couldn't find a suitable building to lease in Marshall and a variance extension was granted in 2015 for two more years. The applicant states that they are still working on moving and asks for another year extension. The conditions proposed by staff are intended to minimize the impact of this business on adjacent residential area while allowing it to operate relatively freely. There have been no complaints on file and in general the applicant has been in compliance with conditions. However, some outside storage was observed several times during workdays. The B-3 zoning requirements are located in Section 86-104. At the November 8, 2017

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meeting of the Marshall Planning Commission, Steen MADE A MOTION Archbold SECOND to recommend to City Council an approval as recommended by staff. ALL VOTED IN FAVOR

Council Member, Bayerkohler, discussed the item. Glenn Olson, Director of Public Works/City Engineer, provided information on the item. Council Member, Lozinski, discussed the use of the conditional use permit and the variance. There was further discussion by Council. Member Schafer recommended that a five-year extension be granted.

Member (**Craig Schafer**) Moved, Member (**James Lozinski**) Seconded to approve the **AMENDED** motion 'that the Council approve extending a variance through the end of 2022 for an exterior storage within the existing fence with the condition that no construction materials will never be exposed outside of the fence or above the fence at any time and for any time duration.'. Upon a roll call vote being taken, the vote was: Aye: **6** Nay: **0**. The motion **Carried. 6 – 0**

6:00 P.M. 2018 BUDGET AND TAX LEVY HEARING:

The Mayor will call the hearing at 6:00 p.m. or at the conclusion of the agenda item immediately following this time. Finance Director Drown will conduct the presentation. At the conclusion, the City Council and the public are able to comment. Once the hearing is closed by the City Council there is no more public testimony. The City Council will take any comments into consideration of the final budget and levy adoption at the regular meeting of December 19, 2017.

Karla Drown, Finance Director, presented the item.

Lyle Moseng from the Marshall Cemetery provided information on the taxation of the Cemetery. Mr. Moseng provided history on the Cemetery and provided information on the Cemetery's tax history. Currently, 93% of their income is taxed. Mr. Moseng contacted the State of Minnesota and this areas legislators with no success. There was further discussion by Council. Council Member, Sturrock, asked City Attorney, Dennis Simpson, to research the item. The President of the Marshall Cemetery Association provided information on the land. There was continued discussion by Council.

Council Member, Bayerkohler, discussed the increase in taxes and the layout of the power point as well as additional information for comparable cities. There was further discussion by Council Member, Meister. Council Member, Sturrock, further discussed the item with Finance Director, Karla Drown. Council Member, Lozinski discussed the flat wage increases and the increase in taxes.

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

CONSIDER APPROVAL OF THE PURCHASE OF ELECTRONIC POLL BOOKS FOR USE DURING ELECTIONS:

Existing election equipment owned by the City and across all Lyon County polling places has aged to a point where replacement is necessary; the City's current equipment was purchased 15+ years ago in April 2002. Some of the existing equipment has had issues (including failure) during

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testing and/or elections. During the last several months, the Lyon County Auditor/Treasurer has invited cities and townships within its jurisdiction to be in attendance for election equipment demonstrations by vendors with state-approved equipment. City staff have attended the demonstrations offered. The demonstrations included ballot counters, electronic poll books to be utilized for voter check-in/registrations, and assistive voting equipment. In 2014, the State legislature authorized the use of electronic poll books (e-pollbooks). In 2017, legislation was approved to fund a \$7 million grant program through the Secretary of State's Office for election equipment and e-pollbooks to help off-set costs for local jurisdictions. Each County in Minnesota will receive a designated amount per precinct; Lyon County will receive \$56,067 in total grant funds for the 33 precincts. Grant funds will be awarded on February 1, 2018. While grant funds are available, the funds can only be claimed one time; that is, a county cannot purchase some items now, with additional items added later and be reimbursed more than once. Lyon County will purchase ballot counters for all the local jurisdictions within the County and levied \$37,500 for election equipment in 2017, with another \$37,500 included in the 2018 budget. Staff are requesting Council consideration to authorize purchase of 15 e-pollbooks through Lyon County, five devices for each of our 3 polling locations. The County would own the e-pollbooks and the City would reimburse Lyon County for the devices and annual maintenance. Lyon County would store them, ensure annual maintenance is completed, and will prepare the devices for Election Day. Training will be provided to City staff and election judges on their use. E-pollbook devices are secure tablets or iPads that replace the current paper voter check-in and registration processes. E-pollbooks will speed up the voter registration process, and assist election judges through each step of the process, including election day registrations. These devices will allow a voter to check in and/or register seamlessly, reduce election judge error, and maintain voter privacy. With the grant funds available from the State of Minnesota at this time, the cost to the City for the e-pollbooks is significantly reduced. However, should the City decline to approve the purchase of e-pollbooks at this time, grant funds to off-set the cost likely will not be available in the future. Staff estimate the local cost of e-pollbooks and associated software and hardware to be approximately \$13,000 with the grant funding. Without the grant funding applied to the purchase, the City's cost would be around \$25,000. The 2018 proposed general fund budget includes \$15,000 for the purchase of election equipment. If approved, Lyon County would purchase the devices in early 2018 and initiate training and device preparation to have them ready for the August 2018 primary. The Cities of Balaton and Tracy have notified the Auditor/Treasurer of their authorization to proceed with the purchase of e-pollbooks. Staff from the Cities of Cottonwood and Minneota have expressed interest but have not notified the Auditor/Treasurer whether their cities will participate or not.

Sheila Dubs, Human Resource Manager, presented the item to Council. Council Member, Bayerkohler, discussed ownership of the devices and who is responsible for them. Sheila Dubs, Human Resource Manager, provided the current agreement with the County and that they keep and maintain all of our election equipment and the City reimburses the County for said ownership.

Council Member, Meister, discussed the possible issue with connecting to a network and how the devices will work if they cannot be connected to a network by Minnesota State Law. Sheila Dubs, Human Resource Manager and Kyle Box, City Clerk, discussed the function of the devices. There continued discussion by Council.

Council Member, Bayerkohler discussed the cost and lifespan of the devices.

Member (**David Sturrock**) Moved, Member (**Craig Schafer**) Seconded to approve the **ORIGINAL** motion 'that the Council approve up to \$15,000 towards the purchase of electronic poll books for the City's elections.'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **1**. The motion (**Carried**). **5 - 1** with Bayerkoher voting no.

CONSIDER APPROVAL OF THE 2018 PARTNERSHIP AGREEMENT WITH MARSHALL MUNICIPAL UTILITIES (MMU):

This agreement is brought to the Council for consideration on an annual basis. The joint committee met on November 7, 2017, reviewed the document in detail, and unanimously recommended approval.

Sheila Dubs, Human Resource Manager, presented the item to Council. Brad Roos, General Manager of Marshall Municipal Utilities, was also in attendance.

Member (**Steven Meister**) Moved, Member (**James Lozinski**) Seconded to approve the **ORIGINAL** motion 'to approve the 2018 Partnership Agreement with Marshall Municipal Utilities.'. Upon a roll call vote being taken, the vote was: Aye: **6** Nay: **0**. The motion **Carried**. **6 - 0**

CONSIDERATION OF ATM LETTER OF UNDERSTANDING AND AGREEMENT:

Transactions (concessions, vending, open skate) at the Red Baron Arena & Expo are done primarily on a cash only basis. This one-year agreement is a cost effective, convenient way to provide a necessary amenity for our customers.

Scott VanDerMillen, Director of Community Services, presented the item to Council. There was discussion by Council.

Member (**Craig Schafer**) Moved, Member (**Steven Meister**) Seconded to approve the **ORIGINAL** motion 'Approval of agreement with Automated Banking Machines INC (AMB)'. Upon a roll call vote being taken, the vote was: Aye: **6** Nay: **0**. The motion **Carried**. **6 - 0**

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

The Adult Community Center has maintained productive working agreements with Lutheran Social Services as they provide meals for the Adult Community Center and the Marshall Area Senior Citizen's Commission for operation in the facility.

Barb Lipinski, Coordinator of the Adult Community Center, presented the item to Council. There was further discussion by Council.

Member (**Craig Schafer**) Moved, Member (**Steven Meister**) Seconded to approve the **ORIGINAL** motion 'Approval of agreements with Marshall Area Senior Citizens, INC and

Lutheran Social Services.'. Upon a roll call vote being taken, the vote was: Aye: **6** Nay: **0**. The motion **Carried. 6 - 0**

CONSIDER AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH BOLTON & MENK INC. FOR WASTEWATER DESIGN AND BIDDING SERVICES FOR THE WASTEWATER TREATMENT FACILITY UPGRADE PROJECT:

The City recently received a proposal for professional engineering and bidding services from Bolton & Menk (B&M) for the planned Wastewater Treatment Facility Upgrade Project. We requested a proposal from B&M after the Council accepted the Wastewater Facility Plan prepared by B&M earlier this year. The project would consist of refurbishing or replacement of several areas of the treatment processes that are in need of repair or replacement and to ensure compliance in the future. Most of the equipment and processes were originally brought in service in 1993. We would need to have Contract Documents to the MPCA for review and approval in March of 2018. The City of Marshall has been approved to receive a low interest loan from the Public Facilities Authority for this project. The estimated total cost of the project including Contingencies, Engineering, Administration, and Legal from the Facility Plan is \$9,475,000.00. We estimate receiving bids in June 2018. B&M has done several projects for the city and are very familiar with the Marshall Wastewater Facility. B&M has vast experience in municipal and industrial wastewater design and construction. Because of their past work and familiarity of the Marshall Wastewater Facility System, the design cost is representing a 20% savings over typical fees for similar projects.

Glenn Olson, Director of Public Works/City Engineer and Bob VanMoer, Wastewater Superintendent, presented the item to Council. There was further discussion by Council.

Member (**Craig Schafer**) Moved, Member (**David Sturrock**) Seconded to approve the **ORIGINAL** motion 'that the Council authorize entering into an agreement with Bolton & Menk, Inc. for Wastewater design and bidding services for the Wastewater Treatment Facility Upgrade Project on an hourly basis, not to exceed \$497,000.00.'. Upon a roll call vote being taken, the vote was: Aye: **6** Nay: **0**. The motion **Carried. 6 - 0**

Recess was called at 7:02 PM

PROJECT Z54: BRAU BROTHERS AREA STORM SEWER PROJECT – 1) CONSIDER CHANGE ORDER NO. 2 (FINAL); 2) ACKNOWLEDGEMENT OF FINAL PAY REQUEST NO. 3 WITH THOMPSON EXCAVATING:

The items on Change Order No. 2 (Final Reconciling Change Order) for the above project are the result of final measurements and changes in item quantities during construction. All work has been completed in accordance with the specifications. The final payment in the amount of \$1,300.84, including the final change order and release of retainage, will be paid from Account #630-90661-5570 (Surface Water Management Utility Fund-Infrastructure).

Member (**Craig Schafer**) Moved, Member (**Steven Meister**) Seconded to approve the **ORIGINAL** motion 'that Council approve Change Order No. 2 (Final) with Thompson Excavating of Taunton, Minnesota, resulting in a contract decrease in the amount of \$144.25 and acknowledge Final Pay Request (No. 3) in the amount of \$1,300.84 for Project Z54 BRAU

BROTHERS AREA STORM SEWER PROJECT.'. Upon a roll call vote being taken, the vote was: Aye: 6 Nay: 0. The motion **Carried. 6 - 0**

PROJECT Z58: BITUMINOUS OVERLAY ON VARIOUS CITY STREETS 1.
CONSIDER CHANGE ORDER NO. 2 (FINAL); 2. ACKNOWLEDGEMENT OF FINAL
PAY REQUEST NO. 2 WITH DUININCK, INC:

The items on Change Order No. 2 (Final Reconciling Change Order) for the above project are the result of final measurements and changes in item quantities during construction. Each individual line item is shown on the spreadsheet attached to the change order. All work has been completed in accordance with the specifications. All work has been completed in accordance with the specifications. The final payment in the amount of \$18,014.26, including the final change order and release of retainage, will be paid from Account #462-60211-2227 (2017 Public Improvements-Streets-Repair & Maintenance).

Member (**Craig Schafer**) Moved, Member (**James Lozinski**) Seconded to approve the **ORIGINAL** motion 'that Council approve Change Order No. 2 (Final) with Duininck, Inc. of Prinsburg, Minnesota, resulting in a contract increase in the amount of \$17,255.12 and acknowledge Final Pay Request (No. 2) in the amount of \$18,014.26 for PROJECT Z58. Upon a roll call vote being taken, the vote was: Aye: 6 Nay: 0. The motion **Carried. 6 - 0**

PROJECT Z60: INDEPENDENCE PARK PARKING LOT PROJECT - 1) CONSIDER
CHANGE ORDER NO. 1; 2) CONSIDER CHANGE ORDER NO. 2 (FINAL); 3)
ACKNOWLEDGEMENT OF FINAL PAY REQUEST NO. 8 WITH D&G
EXCAVATING, INC:

The items on Change Order No. 1 for the above project are for the salvage and reinstallation of aggregate base and adjust frame ring and casting. The items on Change Order No. 2 (Final Reconciling Change Order) for the above project are the result of final measurements and changes in item quantities during construction. Each individual line item is shown on the spreadsheet attached to the change order.

Change Order No. 1 results in a net increase of \$3,075.00. Change Order No. 2 (Final) results in a net decrease in the amount of \$9,145.86.

The original contract amount was \$247,938.64. The final contract amount is \$241,867.78, resulting in a total net contract decrease of \$6,070.86.

The final payment in the amount of \$69,821.51, including the final change order and release of retainage, will be paid from Account #462-60211-5570 (2017 Public Improvements-Streets-Infrastructure).

Member (**Craig Schafer**) Moved, Member (**James Lozinski**) Seconded to approve the **ORIGINAL** motion 'that Council approve Change Order No. 1 with D&G Excavating, Inc. of Marshall, Minnesota, resulting in a contract increase in the amount of \$3,075.00 for the PROJECT Z60. Upon a roll call vote being taken, the vote was: Aye: 5 Nay: 1. The motion (**Carried**). **5 - 1** with Meister voting no.

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Member (**Steven Meister**) Moved, Member (**Craig Schafer**) Seconded to approve the **NEW** motion 'that Council approve Change Order No. 2 (Final) with D&G Excavating, Inc. of Marshall, Minnesota, resulting in a contract decrease in the amount of \$9,145.86 and acknowledge Final Pay Request (No. 3) in the amount of \$18,765.06 for PROJECT Z60. Upon a roll call vote being taken, the vote was: Aye: **6** Nay: **0**. The motion **Carried. 6 - 0**

PROJECT Z45: EAST LYON STREET / JEAN AVENUE / EAST REDWOOD STREET / "B" STREET RECONSTRUCTION PROJECT – 1) CONSIDER CHANGE ORDER NO. 2 (FINAL); 2) ACKNOWLEDGEMENT OF FINAL PAY REQUEST NO. 8 WITH R&G CONSTRUCTION CO:

The items on Change Order No. 2 (Final Reconciling Change Order) for the above project are the result of final measurements and changes in item quantities during construction. Each individual line item is shown on the spreadsheet attached to the change order. All work has been completed in accordance with the specifications.

Change Order No. 2 (Final) results in a decrease in the amount of \$25,086.78.

The original contract amount was \$1,411,351.00. The final contract amount is \$1,396,430.22, resulting in a total net contract decrease of \$14,920.78.

The partial payment in the amount of \$68,320.35, will be paid from Account #461-60211-5570 (2016 Public Improvements-Streets-Infrastructure).

Council Member, Lozinski, informed Council that after speaking with one property owner, that their landscaping issue has not been resolved. Glenn Olson, Director of Public Works/City Engineer, provided information about the warranty period on the project. Council Member Lozinski referred to holding retainage of the landscaping portion as it is not a warranty issue because it was not installed correctly. There was further discussion by Council.

Member (**David Sturrock**) Moved, Member (**Steven Meister**) Seconded to approve the **AMENDED** motion 'that Council approve Change Order No. 2 (Final) with R&G Construction Co. of Marshall, Minnesota, resulting in a contract decrease in the amount of \$25,086.78. Partial Pay Request (No. 8) in the amount of \$68,320.35 for PROJECT Z45 while holding retainage for land scaping in the amount of \$1,501.16. Upon a roll call vote being taken, the vote was: Aye: **6** Nay: **0**. The motion **Carried. 6 - 0**

MUNICIPAL BUILDING PROJECT - CONSIDER AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH ENGAN ASSOCIATES FOR ARCHITECT/ENGINEERING SERVICES:

At the meeting on November 14, 2017, the City Council awarded the Architectural and Engineering (A/E) proposal for comprehensive design, engineering, and consultant services for the Municipal Building Project to Engan Associates. The A/E firm will be responsible for all services from planning through project completion. The fees to be paid will be as follows:

Phase I

Pre-Design/Schematic Design Lump Sum of \$49,000.00

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Phase II

Design Development, Construction Documents,
Bidding and Award 4.75% of Construction Cost

Phase III

Project Construction Observation 1.40% of Construction Cost
(including Shop Drawing Reviews and Approvals)

Close-Out Documents and Warranty Work Follow-Up 0.1% of Construction Cost

Based on an estimated Construction Cost of \$5,500,000.00, the total A/E compensation would be \$392,750.00.

There will be additional reimbursable expenses as well as the option of additional services to be determined.

The item was presented by Director of Public Works/City Engineer, Glenn Olson. There was further discussion by Council Member, Lozinski, on the item.

Member **(David Sturrock)** Moved, Member **(Craig Schafer)** Seconded to approve the **ORIGINAL** motion 'that the Council authorize execution of the attached agreement with Engan Associates of Willmar, Minnesota, for Architect/Engineering Services for the Municipal Building Project.'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **1**. The motion **(Carried)**. **5 - 1** with Meister voting no.

CONSIDER LG220 APPLICATION FOR EXEMPT PERMIT FOR SOUTHWEST MINNESOTA STATE UNIVERSITY FOUNDATION ON FEBRUARY 9, 2018:

Member **(Steven Meister)** Moved, Member **(Craig Schafer)** Seconded to approve the **ORIGINAL** motion 'BE IT RESOLVED, that the City Council hereby (1) grants local unit of government approval to Southwest Minnesota State University, to hold a raffle on February 9, 2018, at Southwest Minnesota State University, 1501 State St., 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.'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0** Abstain: **1**. The motion **(Carried)**. **5 – 0 – 1** with Bayerkohler abstaining.

Commission/Board Liaison Reports:

Byrnes No Report

Schafer No Report

Meister EDA did meet and heard a presentation by a public housing developer.

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Bayerkohler No Report

Sturrock No Report

Lozinski No Report

COUNCILMEMBER INDIVIDUAL ITEMS:

Council Member, Lozinski, discussed the petition in the paper and the group that was at the meeting tonight. Lozinski also thank the police department for they service in the community.

Council Member, Schafer, addressed the petition in the paper and the group that was in attendance tonight. Schafer also thanked City staff and the Council for their work.

Council Member, Meister, also thanked staff. Meister addressed the issue of the Mall parking lot and its disrepair.

Council Member, Bayerkohler, discussed an increase of skunks in some neighborhoods.

CITY ADMINISTRATOR:

Sharon Hanson, City Administrator, discussed meeting with City Staff and Council and reflected in the positive feedback and support. Administrator, Hanson, requested a formation of a committee while moving forward in the City Hall project.

DIRECTOR OF PUBLIC WORKS:

Glenn Olson, Director of Public Works/City Engineer, discussed current projects.

CITY ATTORNEY:

No Report

PENDING ITEMS:

There were no questions on the pending items.

INFORMATION:


There were no questions on the information items.

UPCOMING MEETINGS:

There were no questions on the upcoming meeting list.

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Member (**David Sturrock**) Moved, Member (**Craig Schafer**) 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**



Mayor

Attest:



City Clerk