

REGULAR MEETING – JANUARY 9, 2018

The regular meeting of the Common Council of the City of Marshall was held January 9, 2018 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, Robert Byrnes. In addition to Byrnes the following members were in attendance: Craig Schafer, Steven Meister, Glenn Bayerkohler, John DeCramer, David Sturrock and James Lozinski. Absent: None. Staff present included: Sharon Hanson, City Administrator; Dennis Simpson, City Attorney; Glenn Olson, Director of Public Works/City Engineer; Karla Drown, Finance Director; Cal Brink, Executive Director of Marshall Area Chamber of Commerce; Tara Onken, Economic Development Director of Marshall Area Chamber of Commerce and Kyle Box, City Clerk.

The Pledge of Allegiance was recited at this time.

APPROVAL OF AGENDA:

Member **Steven Meister** Moved, Member **David Sturrock** Seconded to approve the **ORIGINAL** motion 'approve agenda'. 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 DECEMBER 19, 2017:

Member **James Lozinski** Moved, Member **John DeCramer** Seconded to approve the **ORIGINAL** motion 'that the minutes of the regular meeting held on December 19, 2017 be approved 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**

APPROVAL OF CONSENT AGENDA

Council Member, Lozinski, requested that item number 6, Consider approval of 2018 Workers Compensation Insurance renewal, be removed from the consent agenda for further discussion.

Member **Steven Meister** Moved, Member **John DeCramer** 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**

Adoption of Resolution 4462, Second Series, designating the Official Newspaper.

Adoption of Resolution 4463, Second Series, amending Resolution Number 4457, Second Series.

Adoption of Resolution 4464, Second Series, designating the Official Depositories for City Funds for 2018.

Approval of amendments to the Data Practices Policies.

Adoption of Resolution 4465, Second Series, appointing a responsible authority and assigning duties under the Minnesota Government Data Practices Act.

Approval of the bills/project payments

CONSIDER APPROVAL OF 2018 WORKERS COMPENSATION INSURANCE

RENEWAL:

The renewal effective January 1, 2018 with the League of Minnesota Cities reflects the deductible remaining at \$5,000. The estimated annual premium is \$206,808 for 2018. The annual premium was \$235,835 for 2017.

Council Member, Lozinski, pulled the item for further discussion to show the savings on premium. Karla Drown, Finance Director, presented further information on the item. There was further discussion by Council.

Member **James Lozinski** Moved, Member **Steven Meister** Seconded to approve the **ORIGINAL** motion 'to renew the City's Workers' Compensation Insurance with the League of Minnesota City Insurance Trust'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried. 7 - 0**

COALITION OF GREATER MINNESOTA CITIES 2017 CITY VISIT AND

LEGISLATIVE UPDATE:

Marty Seifert, Lobbyist from Flaherty-Hood, was present to give a legislative update related to the Coalition of Greater Minnesota Cities, of which they provide services for the City of Marshall as members of the Coalition. Councilmen Sturrock, is a Board member of the Coalition of Greater Minnesota Cities. There was further discussion by Council.

CONSIDER AN APPLICATION FOR A TEMPORARY ON-SALE INTOXICATING LIQUOR LICENSE FOR SMSU FOUNDATION FOR FEBRUARY 9, 2018:

Member **John DeCramer** Moved, Member **Steven Meister** Seconded to approve the **ORIGINAL** motion 'the approval of a Temporary On-Sale Liquor License for SMSU Foundation to use at the SMSU Campus/RA Facility, 1501 State Street, Marshall, Minnesota on February 9, 2018.'. Upon a roll call vote being taken, the vote was: Aye: 6 Nay: 0 Abstain: 1. The motion **Carried. 6 - 0 - 1** with Bayerkohler abstaining.

MINNESOTA INVESTMENT FUND STATE FUNDED REVOLVING LOAN FUNDS (RLF) REQUEST FOR ONE-TIME EXCEPTION:

The 2017 Legislature passed legislation that allows cities, counties and townships that have revolving loan funds (RLFs) seeded by state-funded Minnesota Investment Fund loan repayments may use 80 percent of the uncommitted balance for any lawful purpose if 20 percent of the balance is returned to the State of Minnesota. To utilize this one-time exception, this form must be completed and submitted to DEED by June 1, 2018; once DEED approves the form the 80 percent should be moved from the RLF account and the 20 percent should be transferred to DEED. As of November 30, 2017, there is \$316,187.01 in fund 212. Therefore, it is possible to be able to retain approximately \$252,949.61 and send \$63,237.40 back to the state.

Karla Drown, Finance Director, presented the item to Council. Cal Brink, Executive Director and Tara Onken from the Chamber of Commerce were in attendance to provide further information. There was further discussion by Council.

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Member **David Sturrock** Moved, Member **Steven Meister** Seconded to approve the **ORIGINAL** motion 'the City Council approve the Minnesota Investment Fund State Funded Revolving Loan Funds (RLF) Request for One-Time Exception'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried. 7 – 0**

INTRODUCTION OF ORDINANCE AMENDMENT CHANGING DECK PROJECTIONS INTO REQUIRED YARDS AND CALL FOR PUBLIC HEARING:

The existing Zoning Ordinance requires a 25 feet front yard along the street for houses but allows decks to project 6 feet into that required front yard making the front yard effectively 19 feet for decks. However, regulations in other cities vary. Some cities do not allow any deck encroachment into required yards, some allow less than Marshall, and some allow more (up to 10 feet in some cities). Based on above information the staff is recommending revising yard projections for decks from 6 to 8 feet. During the June December 13, 2017, regular Planning Commission meeting, this amendment was discussed and recommended for adoption by 6 to 0 vote. At the meeting on December 28, 2017, Legislative and Ordinance Committee voted to recommend to council the approval of Amendments to section 86-162 Yard Modification to increase Deck Projections into Required Yards from 6 feet to 8 feet as recommended by staff.

Glenn Olson, Director of Public Works/City Engineer, presented the item to Council.

Member **Craig Schafer** Moved, Member **Steven Meister** Seconded to approve the **ORIGINAL** motion 'that the Council introduce the Amendments to section 86-162 Yard Modification to increase Deck Projections into Required Yards from 6 feet to 8 feet and call for public hearing to be held on January 23, 2018.'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried. 7 - 0**

CONSIDER APPOINTMENT TO VARIOUS BOARDS AND COMMISSION:

Airport Commission	No Action
Community Services Advisory Board	No Action
Public Housing	Patricia Knoblen

Member **John DeCramer** Moved, Member **David Sturrock** 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: 7 Nay: 0. The motion **Carried. 7 - 0**

COMMISSION/BOARD LIAISON REPORTS:

Byrnes	No Report
Schafer	Library Board met on January 8, 2018. MERIT Center hosted a tour for members of the Minnesota Senate – Bonding Committee.
Meister	No Report
Bayerkohler	Public Housing Commission met on January 8, 2018 and passed a smoke free policy at Parkview Apartments to take effect July 1, 2018.

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DeCramer EDA met and discussed MIF Funds and Amendments to the revolving loan Policy to match the changes with the State of Minnesota. Utilities Commission met on January 9, 2018.

Sturrock Convention and Visitors Bureau met on December 21, 2017
Airport Commission met on January 2, 2018.

Lozinski No Report

COUNCILMEMBER INDIVIDUAL ITEMS:

Council Member, Lozinski, discussed Street Assessments and that there will need to be a fix to our current policy before this spring.

Council Member, Sturrock, provided two copies of December 6, 1996 Truth and Taxation hearings for staff to review. Sturrock also discussed the Minnesota Senators' visit to Southwest Minnesota State University and the MERIT Center. Council Member, Sturrock, will also be attending interviews for Governor to provide information about Southwest Minnesota. Sturrock also discussed with City Attorney, Dennis Simpson, to review the Charter in regard to dates around council appointments.

Council Member, DeCramer, mentioned that he would like to see a conclusion on the City Hall Building, a full 5-year budget and a conclusion on how to handle street assessments.

Council Member, Shafer, discussed street assessments and mentioned the Light-up-the-Night event.

Council Member, Meister, commented on the Light-up-the-Night event, the artwork located in front of the Southwest Amateur Sports Center and finding a solution on street assessments.

Mayor Byrnes discussed street assessments and City Hall. Byrnes recommended that Council set a time for a work session.

CITY ADMINISTRATOR:

City Administrator, Sharon Hanson, commented that the architect for City Hall would be available to present at a scheduled work session. Hanson also mentioned that a presentation would be available for Council on the Municipal Liquor Store. Hanson provided an update and reminded Council that as of January 1, 2018, the Building Inspection Department has been reporting to the City Administrator and that the next Task Force meeting is meeting January 16, 2018. There will also be a report on permits for 2017.

DIRECTOR OF PUBLIC WORKS:

Director of Public Works/City Engineer, Glenn Olson, commented on that they are in the process of designing a replacement parking lot for Marshall Municipal Utilities. Olson also mentioned that they are 70% complete with the analysis of all special assessments projects over the previous 10 years.

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CITY ATTORNEY:

City Attorney, Dennis Simpson, is working with staff to finalize warranty issues at the Southwest Amateur Sports Center.

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.

Council Member Sturrock, excused himself at this time.

ADJOURN MEETING:

Member (**James Lozinski**) 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** with Sturrock absent.



Mayor

Attest:



City Clerk