

## REGULAR MEETING – AUGUST 7, 2018

The regular meeting of the Common Council of the City of Marshall was held August 7, 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, Public Works Director/City Engineer; Karla Drown, Finance Director; Sheila Dubs, Human Resource Manager; Preston Stensrud, Parks Superintendent and Kyle Box, City Clerk.

The Pledge of Allegiance was recited at this time.

### Approval of Agenda.

There was a general consensus to operate under the current agenda

### Consider approval of the minutes from the regular meeting held on July 24, 2018.

Member **Steven Meister** Moved, Member **James Lozinski** Seconded to approve the **ORIGINAL** motion 'that the minutes of the regular meeting held on July 24, 2018 be approved as filed with each member and that the reading of the same be waived'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried. 7 - 0**

### Justice Park Restroom Project - Consider Accepting Bid (Awarding Contract).

Three proposals were received for the construction of this restroom facility. The low proposal for the construction of a new restroom facility at Justice Park to Doom & Cuypers Construction Inc. of Marshall, MN in the amount of \$117,867.00. Staff is recommending no alternates at this time as \$120,000.00 was budgeted for this project. The existing restroom facility at Justice Park was building in 1980 and is wood construction and in need of replacement. The new facility will be a block building with energy efficient fixtures and be a sustainable structure for many years 50+ years. The purchase of this unit will be funded from Account #401-70276-5520 (Capital-Parks Department-Buildings).

Parks Superintendent Preston Stensrud presented the item to Council. There was discussion by Council on the structure of the bathrooms.

Member **John DeCramer** Moved, Member **James Lozinski** Seconded to approve the **ORIGINAL** motion 'Council award the proposal for a construction of a new restroom facility at Justice Park to Doom & Cuypers Construction Inc. of Marshall, MN in the amount of \$117,867.00.'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried. 7 - 0**

### Approval of Consent Agenda.

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: 7 Nay: 0. The motion **Carried. 7 - 0**

Approval of temporary extension of alcohol license area for Brau Brothers Brewing Company, 1010 East Southview Drive for Hop Fest on September 7 - 8, 2018.

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Approval of a Temporary On-Sale Intoxicating Liquor License for Marshall Area Senior Citizens, INC. for November 5, 2018.

Approval of the bills/project payments

Approval of Project Z45: East Lyon Street / Jean Avenue / East Redwood Street / “B” Street Reconstruction Project – Acknowledgement of Final Pay Request No. 9 with R&G Construction Co.

### **Highway 23 Project Update.**

MnDot will be presenting an update on the Highway 23 project. Leif Garnass from SRF Consulting Group, Inc. and Mandi Lighthizer-Schmidt from MnDOT will be providing the project update.

Leif Garnass from SRF Consulting Group, INC providing information on the agenda item.

Council member DeCramer discussed the closer of the intersections affecting businesses.

Council member Sturrock and Meister discussed communication between the State of MN and business owners affected throughout the construction zone.

Council member Lozinski discussed the speed in the construction zone.

Mandi Lighthizer-Schmidt, MnDOT, provided information on vehicle speed within the construction zone.

### **Consideration for approval of agreement with Prairie Home Hospice to utilize Independence Park in hosting Light Up the Night.**

Prairie Home Hospice has requested that they be allowed to lease Independence Park for annual Light up the Night fundraising event. Hospice has proposed a 10-year lease to use the park on an annual basis during the fundraising event each November/December time frame for the next 10 years.

Prairie Home Hospice is planning to host annual light up the night fundraising events in the foreseeable future. The 2017 fundraising event was successful when hosted at Southwest Minnesota State University. Hospice is proposing to continue the fundraising event but to move the venue from the University to Independence Park. A lease has been drafted and has been for submitted for review and approval. The 10-year lease has been presented to Hospice for their review and comment. The non-exclusive lease gives Hospice the right from November 1 through January 5 of the next year to set up and host its fundraising event. The lease provides Hospice with the ability and the authority to host the event. Insurance requirements have been addressed, set up and cleanup of the event has been addressed. The City and Hospice have each invested funds in updating the needed electrical panels so that electrical service is available to light up the night at each event. Annual rental rate is \$1,000 per year for years 1-3. Years 4-10 include the annual \$1,000 lease but also include additional payment of 2% net profits. The lease provides



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termination by the tenant upon 60 days' notice. Therefore, notice would need to be received by September 1 of a year if the fundraising event would be cancelled.

City Attorney Dennis Simpson provided information on the item. Attorney Simpson mentioned that Prairie Home Hospice have already provided the City \$750 for a light board upgrade. Council discussed the lease agreement.

Member **James Lozinski** Moved, Member **Craig Schafer** Seconded to approve the **ORIGINAL** motion 'to approve the lease as drafted while crediting Prairie Home Hospice \$750 for the year one lease payment.'. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion **Carried. 7 - 0**

### **Consider approval to add a full-time Sales Associate position at the Liquor Store**

Human Resource Manager Sheila Dubs presented the agenda item to Council. Staff are proposing one additional full-time employee be added at the liquor store. The Personnel Committee has reviewed the request and is recommending approval. The current staffing compliment at the store is as follows: 1 full-time Manager, 2 full-time Sales Associates, and 10 part-time checkout clerks, 6 of which have been employed with us less than 6 months.

It has become increasingly difficult to hire and maintain part-time staff to fulfill the store's hours of operation. A few of the reasons for this are as follows:

- 1) Most of the part-time employees have full-time employment elsewhere or are full-time students, and therefore, have no or limited availability to work weekday shifts.
- 2) Our primary weekday part-time employee recently resigned due to relocation--this employee worked up to 30 hours per week on average.
- 3) The majority of our current part-time employees desire to work only 2-3 shifts per week and are selective about the times and dates available to work. If scheduled outside of these parameters, the employee will typically try to trade or give the shift to another employee, and if that is not successful, will call in sick, negatively impacting operations.

In the past 10 years (since 2008), of the 35 part-time employees hired, over half (19) worked less than 2 years, and 11 worked less than 6 months. Six of these part-time employees have been hired within the last 6 months.

Part-time employee unavailability has negative consequences for the store operations and leads to negative morale with the other employees. The part-time clerk position has been posted on the website and social media continuously; we continue to receive applications and hire part-time employees, but they typically want selected evening or weekend shifts. It is not atypical for an employee to want to work only 1 weekend shift per month and 1 or 2 additional weekday shifts. Scheduling employees for additional shifts, beyond their availability, results in absences and resignations.

The starting pay for a Sales Associate is \$18.02 per hour (\$37,481.60 annually). Maximum potential cost of a full-time employee plus family benefits is: \$64,242.88 Maximum potential cost of a full-time employee plus single benefits is: \$53,103.23

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City Administrator Sharon Hanson provided the fiscal impact of hiring a full-time staff person.

Council member DeCramer provided discussion from the Personnel Committee.

Council member Bayerkohler discussed benefits for part-time staff compared to full-time staff.

Council member Lozinski discussed the wage scale for a new full-time staff member compared to a part-time staff member.

Council member Meister discussed that a manager would ideally build a business plan for the liquor store. Member Meister discussed the risks of having part-time employees over

Administrator Hanson discussed the impact of hiring a new full-time staff member.

John Schroeder Liquor Sales Associate, provided insight on staff scheduling needs.

There was further discussion by Council.

Member **John DeCramer** Moved, Member **Steven Meister** Seconded to approve the **ORIGINAL** motion 'that the Council approves the addition of a full-time Sales Associate position.'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **2**. The motion **Passed. 5 - 2** with Bayerkohler and Lozinski voting no.

**Election Equipment Utilization and Storage Agreement.**

Consider an agreement for election equipment utilization and storage between the City of Marshall and Lyon County. Lyon County has purchased new election equipment to be used in the 2018 election period. Previously, the City of Marshall stored ballot boxes for the old equipment. This is a new contract for new equipment.

City Clerk Kyle Box, provided information on the agenda item. There was further discussion by Council.

Member **David Sturrock** Moved, Member **James Lozinski** Seconded to approve the **ORIGINAL** motion 'to approve the agreement for Election Equipment Utilization and Storage.'. Upon a roll call vote being taken, the vote was: Aye: **7** Nay: **0**. The motion **Carried. 7 - 0**

**Consider and approve the execution of purchase agreement regarding purchase of real property located at Lot 15, Block 11, (110 W. Main St.) City of Marshall, from Mary Pat Middleton.**

The City of Marshall has been involved in the acquisition of the majority of business properties located in Block 11, downtown Marshall. City has recently acquired the Car Toyz property and the Sandra Mosch property now leased to Downtown DD Taxi Service. The remaining property is owned by Mary Pat Middleton and consists of a brick storage building with address of 110 W. Main Street. The City has been negotiating with John Middleton and now his surviving spouse Mary Pat Middleton. Property has been assessed with valuation at \$37,500. City has previously offered the sum of \$40,000. An appraisal of the property was recently completed. The appraised



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value for the property was \$29,500. The City reaffirmed its \$40,000 which has been accepted by Mrs. Middleton. City staff is recommending that City purchase the property for \$40,000. Staff is presently having discusses regarding long term redevelopment of the entirety of Block 11. City staff believes that there will be demolition funds available through the State of Minnesota which could be used to raze the three businesses on the property to make the site shovel ready for future development. Full appraisal report is available at the City Attorney's office if anyone would want to view the entire appraisal report.

City Attorney Dennis Simpson provided information on the agenda item. There was further discussion by Council.

Member **James Lozinski** Moved, Member **Craig Schafer** Seconded to approve the **ORIGINAL** motion 'Consider and approve the execution of purchase agreement regarding purchase of real property located at Lot 15, Block 11, (110 W. Main St.) City of Marshall, from Mary Pat Middleton.'. 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 **John DeCramer** Seconded to approve the **NEW** motion 'Consider and approve Resolution No. 4531, Second Series authorizing use of Tax Increment Financing Funds to reimburse City expenditures.'. Upon a roll call vote being taken, the vote was: Aye: 5 Nay: 2. The motion **Passed. 5 - 2** with Meister and Bayerkohler voting no.

### **Consider an application for a Temporary On-Sale Intoxicating Liquor License for SMSU Foundation for September 8, 2018.**

Member **Craig Schafer** Moved, Member **John DeCramer** 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 September 8, 2018.'. Upon a roll call vote being taken, the vote was: Aye: 6 Nay: 0 Abstain: 1. The motion **Passed. 6 - 0 -1** with Bayerkohler abstaining.

### **Commission/Board Liaison Reports**

Byrnes No Report

Schafer No\_Report

Meister Community Services Advisory Board met and discussed the success the Community Services Department has been having.

Bayerkohler No Report

DeCramer No Report

Sturrock No Report

Lozinski No Report

### **Councilmember Individual Items**

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Council member Sturrock provide handouts from the Greater Minnesota Cities Coalition. Member Sturrock also discussed the Broadmoor Valley Association will be having a resident clean up event. Council member Sturrock also attended a transportation meeting to discuss the Corridors of Commerce.

**City Administrator**

City Administrator Sharon Hanson met with City Administrators from the City of Cottonwood and Tracy. Administrator Hanson discussed the flood event from July 3. There has been discussion of forming a long-term recovery Committee. FEMA will be in Lyon County the week of August 13. Administrator Hanson commented that the next Marshall Works video will feature the City's Park's Department. Hanson discussed the 2019 budget and levy.

**Director of Public Works**

Director of Public Works/City Engineer provided a construction update on projects throughout the City.

**City Attorney**

No Report

**Administrative Report**

There were no questions on the administrative report.

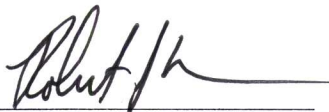
**Information Only**

There were no questions on the information items.

**Upcoming Meetings**

There were no questions on the upcoming meeting list.

At 7:07 P.M., Member **Steven Meister** 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:

  
\_\_\_\_\_  
City Clerk

Reimbursement