

RESOLUTION NO. 24-039

A RESOLUTION TO CONTRACT WITH A CITY OFFICIAL.

Whereas, the City of Marshall desires to purchase the following: Labor for re-roofing the warming house/storage shed at Independence Park and re-roofing the picnic shelter at Freedom Park.

And Whereas, James Lozinski is a council member of the City and will be financially interested in the contract; and

Whereas, it is determined that the contract price of \$6,625.00 is as low as, or lower than, the price at which the goods can be obtained elsewhere at this time; and

Whereas, the contract is not one that is required to be competitively bid; and

Whereas, Section 12.03 of the City of Marshall Charter states no officer of the City who is authorized to take part in any manner in any contract with the City shall voluntarily have a personal financial interest in such contract or personally benefit financially therefrom other than as allowed by state law; and

Whereas, Minnesota Statutes Section 471.89 allows the City to contract with a city official when the Council authorizes the contract in advance of the contract's payment; and

Whereas, the Resolution includes the essential facts and determine that the contract price is as low as or lower than the price at which the services could be obtained elsewhere and the City Official has agreed to submit an affidavit of conflict at the time of this Resolution setting forth the proposal and amount, and will submit an additional affidavit before payment to reflect any change orders, if any; and

Whereas, Council Member Lozinski has submitted the necessary affidavit.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MARSHALL, MINNESOTA AS FOLLOWS:

That the Parks and Recreation Superintendent is directed to make the above-mentioned purchase on behalf of the city from James Lozinski Construction for a price of \$6,625.00

It is also resolved that the mayor and city clerk are directed to issue an order-check to pay the claim on the filing of an affidavit of official interest by the interested official.

Passed by the unanimous vote of the City Council of Marshall, Minnesota this 9th day of April 2024.

Mayor

Attested:

City Clerk