

**CITY OF MARSHALL
CITY COUNCIL MEETING
M I N U T E S
Tuesday, February 25, 2025**

The regular meeting of the Common Council of the City of Marshall was held February 25, 2025, at City Hall, 344 West Main 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: See Moua-Leske, John Alcorn, James Lozinski, Amanda Schwartz and Amanda Schroeder. Absent: Craig Schafer. Staff present included: Sharon Hanson; City Administrator; Pamela Whitmore, City Attorney; Jason Anderson, Director of Public Works/ City Engineer; E.J. Moberg, Director of Administrative Services; Preston Stensrud, Park and Rec Supervisor; Ilya Gutman, Plans Examiner; and Steven Anderson, City Clerk.

Consider Approval of the Minutes from the Meeting Held on February 11

No amendments were requested to the minutes.

Motion made by Councilmember Lozinski, Seconded by Councilmember Alcorn to approve the minutes from the meeting held on February 11, 2025. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schroeder, Councilmember Schwartz. Voting Abstaining: Councilmember Schafer. The motion **Carried. 6-0-1.**

General Obligation Bonds, Series 2025A. 1) Conduct a Public Hearing 2) Consider a Resolution Approving a Five-Year Street Reconstruction Plan and the Issuance of General Obligation Street Reconstruction Bonds

The city was authorized under Minnesota Statutes, Section 475.58, subdivision 3b, to prepare a plan for street reconstruction or bituminous overlay of streets in the city over the next five years, which included a description of the street reconstruction or overlay to be financed, the estimated costs, and any planned reconstruction or overlay of other streets in the city over the next five years. Moberg explained the 2025 bonding projects and based on the January 28th work session recommended that the Fire Department Aerial Truck Equipment Certificate, Hill/Minnesota/Charles Street Reconstruction and Legion Field Stormwater Revenue Bonds remain, and the other projects be pushed back to future years. Councilmember Lozinski asked for clarification that the Legion Field project would not impact the levy, but the other projects would. Moberg confirmed. No comments from the public were given.

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski to close the public hearing. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Motion made by Councilmember Schafer, Seconded by Councilmember Alcorn to adopt Resolution 25-011 Approving a five-year street reconstruction plan and issuance of General Obligation Street Reconstruction Bonds. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

General Obligation Bonds, Series 2025A. 1) Conduct a Public Hearing 2) Resolution Approving Property Tax Abatement to Finance Certain Public Improvements in the City

Moberg reiterated that the public hearing for this item should occur because it was published and noticed but the projects associated with this item would be pushed to future years. Moberg recommended that the resolution not be passed, unless the wishes of the council were to proceed. No comments from the public were given.

Motion made by Councilmember Schroeder, Seconded by Councilmember Schafer to close the public hearing. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

No motion made on Resolution 25-012 Approving Property Tax Abatement to Finance Certain Public Improvements in the City.

Project ST-012-2025: S Hill Street / S Minnesota Street / Charles Avenue Reconstruction Project - 1) Resolution Declaring Official Intent Regarding the Reimbursement of Expenditures with the Proceeds of Tax-Exempt Bonds; 2) Resolution Accepting Bid (Awarding Contract)

The project consisted of reconstruction and utility replacement on South Hill Street and South Minnesota Street from East College Drive to Charles Avenue, two alleys from East College Drive to Charles Avenue and Charles Avenue from South Whitney Street to South Minnesota Street. All utilities would be replaced, including watermain, sanitary sewer, and storm sewer within the areas identified above. Other items of work included in the project were pavement removal, aggregate base, bituminous surfacing, concrete surfacing, sidewalks, curb and gutter and other minor work. Three complete bids were received with the low bid coming from D&G Excavating, Inc. of Marshall, in the amount of \$995,695.25. The engineer's estimate was \$1,000,000 - \$1,150,000. The estimated total project cost including 5% allowance for contingencies and 16% for engineering and administrative costs was \$1,212,756.81. All improvements would be assessed according to the current Special Assessment Policy, including but not limited to participation from Marshall Municipal Utilities, Wastewater Department, Surface Water Management Utility Fund and Ad Valorem participation. The financing and cost participation would be forthcoming and addressed at the time of the Resolution Declaring Cost to be Assessed.

Motion made by Councilmember Schafer, Seconded by Councilmember Moua-Leske to adopt Resolution 25-014 Declaring Official Intent Regarding the Reimbursement of Expenditures with the Proceeds of Tax-Exempt Bonds for Project ST-012-025. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Motion made by Councilmember Schafer, Seconded by Councilmember Alcorn to adopt Resolution 25-015 Accepting a Bid and Authorizing entering into an agreement with D&G Excavating, Inc. of Marshall in the amount of \$995,695.25 for Project ST-012-2025. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Award Construction of Restroom Facility and Picnic Pavilion at Independence Park to Bladholm Construction, Inc. of Marshall, MN

In July of 2023 the Parks Department was awarded an Outdoor Recreation Grant from the MN DNR in the amount of \$210,274 towards the construction of a new restroom facility and a new pavilion at Independence Park. On February 20, 2025, bids were received for this project with Bladholm Construction submitting the low bid in the amount of \$376,225.00. Other costs associations with the project are as follows:

Pavilion Purchase - \$72,456.07 (approved on August 12, 2024)
Install new water line - \$16,989.00
Demo of existing structures - \$15,590
Total Project Cost - \$481,260.07

Existing city funding included \$234,800 plus the grant amount of \$210,274 which left the project short \$36,186.07 to complete. Marshall Municipal Utilities informed Stensrud that they would be willing to foot the bill for the installation of new water lines, which would help reduce city costs. It was also found that because the amount of the bids being over the grant amount, prevailing wage was not required which would reduce the deficit. Staff worked with the Finance Department to find funds for the shortfall and are recommending moving forward on the project to meet the timelines for completion of the awarded grant funds. The council members talked about already having the pavilion already purchased and sitting ready to be built and throwing away a \$200,00 grant would be foolish.

Motion made by Councilmember Lozinski, Seconded by Councilmember Schafer to adopt Resolution 25-016 accepting the bid from Bladholm Construction of Marshall in the amount of \$376,225 for the construction of a restroom facility and picnic pavilion at Independence Park. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Approval of the Consent Agenda

There were no requests to remove an item from the consent agenda.

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski to approve the items on the consent agenda. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

- Consider Approval of the Bills/Project Payments

Request for a Conditional Use Permit for a Duplex in an R1 District at 212 Carrow Circle

Gutman presented the request. During the rental registration process it was discovered that the property was being used as a duplex in a single-family residence area and required a conditional use permit. The property owner went through the public hearing process with the Planning Commission on February 12. The commission found that the lot was adjacent to a B-3 general business district and a couple R-2 one to four family districts nearby. The use was already in existence so no additional traffic would be generated, and no concerns were reported about the location.

Motion made by Councilmember Lozinski, Seconded by Councilmember Schroeder to grant a conditional use permit at 212 Carrow Circle for a Duplex in an R-1 single-family district. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Consider Entering into a Professional Services Agreement with TKDA for Engineering, Architecture and Planning Services at the Airport (SFY2025-2030)

The City of Marshall requested qualifications from consulting airport architectural / engineering / planning firms to provide services associated with airport improvements, with the intent to retain the selected firm for five (5) years or until completion of the Capital Improvement Project items listed in the Request for Quotes and as identified in the SFY2025-2030 CIP. Submittals were received from two firms, TKDA of St. Paul and Bolton & Menk, Inc. of Mankato. At the Airport Commission meeting on February 4, an RFQ Review Committee was formed to meet, select and bring forth their recommendations directly to the City Council. The RFQ Review Committee met on February 19 and recommend entering into a Professional Services Agreement for Engineering, Architecture and Planning Services with TKDA at the Southwest Minnesota Regional Airport. The agreement with TKDA defined the terms and conditions of their services and allows the use of individual authorizations for specific projects, so there would be zero cost for the agreement unless a project was brought forth. The agreement further defined the terms of TKDA's services to be provided and would remain in effect as long as the City wished. Individual projects would still require additional individual contracts to come before both the Airport Commission and City Council for approval as had been in past practice.

Motion made by Councilmember Schafer, Seconded by Councilmember Alcorn to authorize entering into a Professional Services Agreement for Engineering, Architecture, and Planning Services with Toltz, Kind, Duvall, Anderson and Associates (TKDA) of St. Paul for airport development. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Consider Appointments to Various Boards, Commission, Bureaus, and Authorities

The council conducted interviews prior to the regular meeting. Mayor Byrnes recommended that Jeff Haukom be re-appointed to the Marshall Municipal Utilities Commission with a term ending May 31, 2030, and Sara Runchey be appointed to the Planning Commission with a term ending May 31, 2028.

Motion made by Councilmember Schroeder, Seconded by Councilmember Lozinski to affirm and appoint Jeff Haukom to the MMU Commission and Sara Runchey to the Planning Commission. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Commission/Board Liaison Reports

Byrnes	No report.
Alcorn	No report.
Lozinski	No report.
Moua-Leske	Julie Walker gave a presentation from Marshall Pride Celebration.
Schafer	No report.
Schroeder	EDA received a report that the new Marshall Shop was scheduled to open in April and the owners of the building were again looking for a third tenant.
Schwartz	No report.

Councilmember Individual Items

Mayor Byrnes mentioned that the City of Marshall received an updated closure notice from Broadmoor Valley and Administrator Hanson would cover that. Byrnes met with the Hill Street Men's Group and had a good conversation with them and Byrnes also welcomed the Lions District Convention at the Everspring Hotel.

City Administrator

Sheila Dubs and Hanson would be meeting with the AFSCME Union on March 5th for mediation. The bid opening for the Aquatic Center was scheduled for March and Community Education would be doing a pilot program for a citizen's academy to explore a seven-week program of city services. Schierholz and Associates sent two different correspondences to the City of Marshall. One was an updated closure notice that was originally received in November of 2024, and the second was a funding request of \$2 million from the city. Hanson mentioned that the city had sent letters of support to Minnesota Housing Finance Agency for Schierholz and Associates to obtain a \$500,000 grant to improve the roads in Broadmoor Valley, which Schierholz and Associates did receive. Hanson presented a letter to council declining to provide a letter of support with a commitment of funds for Schierholz and Associates. The letter encouraged Schierholz and Associates to utilize the grant awarded by the Minnesota Housing Finance Agency to begin the first steps in infrastructure improvements in Broadmoor Valley. Whitmore outlined the process for the updated closure notice. The Planning Commission would receive the letter and make recommendation that the letter be sent to the City Council. The City Council would then set a public hearing date and appoint a qualified neutral representative during the public hearing. Whitmore also mentioned that Minnesota Housing Finance Agency had begun their own lawsuit against Schierholz and Associates and may impact the hearing. Whitmore recommended that the City of Marshall follow the process outlined in Minnesota Statutes regarding the closure notice and proceed until otherwise notified that the public hearing cannot occur.

Director of Public Works/City Engineer

Bid opening for Mill/Overlay projects would occur on March 4th. Bid opening for the Active Transportation Grant project was scheduled for March 6th as well as a pre-construction meeting for the MnDOT Highway 19 reconstruction project.

City Attorney

No report.

Information Only

There were no questions or comments about the Information Only items.

Upcoming Meetings

There were no questions or comments about the Upcoming Meetings.

Adjourn

At 6:18 PM Motion made by Councilmember Lozinski, Seconded by Councilmember Alcorn to adjourn the meeting. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Attest:

City Clerk

Mayor