

CITY OF MARSHALL AGENDA ITEM REPORT

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| Presenter: | Mayor Byrnes |
| Meeting Date: | Wednesday, May 7, 2025 |
| Category: | PUBLIC HEARING |
| Type: | INFO/ACTION |
| Subject: | Closure Notice from Broadmoor Manufactured Home Park - 1) Appoint Third-Party Neutral 2) Public Hearing |
| Background Information: | <p>On February 18, 2025, the city received an updated notice from Paul Schierholz, on behalf of Schierholz & Associates, of the intent to cease operation of Broadmoor Valley ("Park") as a manufactured home park as of March 1, 2026. Mr. Schierholz indicated that the costs of maintaining the Park and the lack of public investment in Park facilities had triggered the need to close the park. Mr. Schierholz had not provided any specific information or insight about his intentions concerning the property if the Park were closed.</p> <p>The notice received contained the mandatory language typed in the correct font as required under Minn. Stat. §327C.095 and addresses the topics required by Minn. Stat. § 327C.015. Accordingly, the City presumes sufficiency of the notice. To date, the City has not heard from the Attorney General that the Notice was not sufficient.</p> <p>The statutory hearing process with which the city must comply is set forth in Minn. Stat. § 327C.07 et seq., and specifically Minn. Stat. § 327C.095. Upon receipt of the closure notice by the City, the City's planning agency must submit the closure statement to the governing body of the local government authority and request the governing body to schedule a public hearing. The Planning Commission reviewed the notice at its March 12, 2025, meeting and had asked the City Council to set the date for public hearing on the proposed closure.</p> <p>On March 25, 2025, the city council set a public hearing date of May 7, 2025, at 5:30 PM at the Marshall Middle School auditorium. Mailed notice of the hearing was sent April 18, 2025, at least ten days before the hearing to at least one <u>resident</u> of each manufactured home in the park listing the time, place, and purpose of the public hearing. The statute defines <u>resident</u> as an owner of a manufactured home who rents a lot in a manufactured home park and includes the members of the resident's household. However, the notice was mailed to all residents and tenants in a listing that was provided by the park owner.</p> <p>The city is to serve as a "host" of the meeting to ensure that the residents of the Park have an opportunity to be heard. At the hearing, the City Council appoints a neutral third-party arbiter. Also, at the hearing, the Council shall report if any ordinance was in effect on May 26, 2007, that would provide other compensation for displaced residents. Staff have not been able to locate any such ordinance.</p> |
| Fiscal Impact: | None |
| Alternative/ Variations: | None |
| Recommendations: | Recommendation 1) To appoint a third-party neutral; and Recommendation 2) that the council close the public hearing |