

**CITY OF MARSHALL
CITY COUNCIL MEETING
M I N U T E S
Tuesday, February 23, 2021**

The regular meeting of the Common Council of the City of Marshall was held February 23, 2020, at the Minnesota Emergency Response and Industrial Training (MERIT) Center, 1001 West Erie Road. 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, Steve Meister, Don Edblom, John DeCramer, Russ Labat and James Lozinski. Absent: None. Staff present included: Sharon Hanson, City Administrator; Dennis Simpson, City Attorney; Jason Anderson, Director of Public Works/ City Engineer; Annette Storm, Director of Administrative Services; Director; Jim Marshall, Director of Public Safety; Quentin Brunsvold, Fire Chief; Sheila Dubs, Human Resources Manager; Lauren Deutz, Economic Development Director; Dean Coudron, Public Ways Superintendent and Kyle Box, City Clerk.

The Pledge of Allegiance was recited at this time.

Mayor for a Day

The Mayor for a Day Contest began on January 11th for kids in grades 4, 5, and 6 with the purpose of seeing what Marshall's young residents would do if they had the opportunity to be Mayor for a Day. Contestants were asked the simple question: What would Marshall look like if you were in charge of Cultivating the Best in Us?

They had the option of submitting their responses in a variety of forms such as written essays, poetry, artwork, videos, and more. The contestants could choose how and what they wanted to share that showcased what they would do if given the title Mayor for a Day.

We had multiple entries, all of which gave great ideas as well as highlighted things that they already love about our great community.

Winners will be able to stop in at the Marshall Community Services office anytime Monday – Friday 8:00am – 4:30pm to pick up you Marshall Aquatic Center pass for Summer 2021 and your signed certificate from the Mayor.

Thank you to all of the participants and we look forward to seeing what new and exciting ideas you can come up with for next year.

Approval of the Agenda

Mayor Byrnes asked for agenda item number 7, Approval to declare surplus property for the Marshall Police Department, be removed from the agenda as it is a duplicate item.

There was a consensus to operate under the amended agenda.

Consider approval of the minutes of the regular meeting held on February 9, 2021.

Motion made by Councilmember Meister, Seconded by Councilmember Schafer that the minutes of the regular meeting held on February 9, 2021 be approved as filed with each member and that the reading of the same be waived. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Project Z51-2021: Bituminous Overlay Project – Consider Resolution Accepting Bid (Awarding Contract).

This project consists of street mill and overlay project.

Streets include:

London Road (Madrid Street to Channel Parkway)

Athens Avenue (Madrid Street to Paris Road)

Oslo Avenue (Madrid Street to Dublin Street)

Rainbow Drive (Madrid Street to Paris Road)

Parkside Drive (Lyon Street to Jewett Street)

Woodland Way Garden Circle Baseline Drive (Nwakama Street to Clarice Avenue)

On February 19, 2021, bids were received for the above-referenced project. Two bids were received as shown on the Resolution Accepting Bid. The low bid was from Duininck, Inc. of Prinsburg, Minnesota, in the amount of \$580,564.28.

The engineer's estimate for the project was approximately \$620,300. The 2021 Public Improvement Revolving Fund includes \$625,000 for this project.

Motion made by Councilmember Lozinski, Seconded by Councilmember Schafer : that the Council adopt RESOLUTION NUMBER 21-013, which provides for the Resolution Accepting Bid (Awarding Contract) and authorizing entering into an agreement with Duininck, Inc. of Prinsburg, Minnesota, for Project Z51-2021: Bituminous Overlay Project in the amount of \$580,564.28, with a maximum of \$625,000.00. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Project Z83: James Avenue/Camden Drive 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).

This project consists of the following: reconstruction and utility replacement on James Avenue between Camden Drive and South 4th Street and Camden Drive between James Avenue and South 4th Street. All utilities will be replaced, including watermain, sanitary sewer, and storm sewer on James Avenue and Camden Drive. Other items of work included in this project are pavement removal, aggregate base, bituminous surfacing, sidewalks, curb and gutter and other minor work.

On February 19, 2021, bids were received for the above-referenced project. Four bids were received as shown on the Resolution Accepting Bid. The low bid was from Kuechle Underground of Kimball, Minnesota, in the amount of \$849,244.50. The engineer's estimate was approximately \$956,984.

The above-referenced project, or a portion thereof, may be financed by the sale of bonds with repayment coming from assessments and Debt Service Fund Levy. It is required that action be authorized by City Council via Resolution Declaring Official Intent Regarding the Reimbursement of Expenditures with the Proceeds of Tax-Exempt Bonds.

The "Resolution Accepting Bid" awarding the contract to Kuechle Underground of Kimball, Minnesota, is in the amount of \$849,244.50.

The estimated total project cost including 5% allowance for contingencies and 16% for engineering and administrative costs is \$1,034,379.80.

All improvements will 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 will be forthcoming and addressed at the time of the Resolution Declaring Cost to be Assessed.

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski that the Council adopt RESOLUTION NUMBER 21-014, which provides for Resolution Declaring Official Intent Regarding the Reimbursement of Expenditures with the Proceeds of Tax-Exempt Bonds for Project Z83: James Avenue/Camden Drive Reconstruction Project. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Motion made by Councilmember DeCramer, Seconded by Councilmember Lozinski that the Council adopt RESOLUTION NUMBER 21-015, which provides for the Resolution Accepting Bid (Awarding Contract) and authorizing entering into an agreement with Kuechle Underground of Kimball, Minnesota, in the amount of \$849,244.50 for Project Z83: James Avenue/Camden Drive Reconstruction Project. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Consider Award of Bids for Street Sweeper for the Street Department.

The City opened bids on July 10, 2020 for replacement of the street sweeper for the Street Department. The City currently operates a 2015 Elgin Pelican street sweeper.

At this time, one bid was received from MacQueen Equipment of St. Paul, MN. MacQueen Equipment has the State contract for their Elgin Street sweepers.

At the July 14, 2020 City Council meeting, Council requested City staff to consider keeping the 2015 Elgin Pelican street sweeper instead of trading it in for \$68,200. By keeping the 2015 sweeper, the City is afforded redundancy with operations, the City may run two machines in tandem during early spring and fall time when demand is high, and the City could defer future street sweeper replacements by spreading machine time between two sweepers. At their meeting on July 14, 2020, the City Council tabled action on this item to the July 28, 2020 meeting to allow for staff to review the Surface Water Management Utility budget to ensure that the fund could absorb the additional \$68,200 cost of not trading in the sweeper. After reviewing the budget, it was determined that the purchase could be financed by utilizing Surface Water Management Fund reserves.

At the July 28, 2020 meeting the City Council voted to deny the street sweeper purchase and defer a future purchase into 2021. The Council cited the opportunity to submit a Surface Water Management Utility budget that included funding for a new street sweeper purchase without trade-in. Further, Councilman Labat requested City staff to check with other cities to inquire how many street sweepers other cities operate.

The 2021 Capital Improvement Plan (CIP) includes \$245,000 for the purchase of a new street sweeper. This figure allows for the new purchase while also allowing for the City to keep its existing 2015 sweeper in the fleet.

Further, City staff has checked with other area communities to inquire about their street sweeping equipment. Out of respect for their time, we simply asked how many street sweepers and/or leaf vacuums their Public Works Departments operate. The responses are as follows:

City	Sweeper	Leaf Vacuum
Albert Lea	2	1
Fairmont	2	1
Hutchinson	2	4
New Ulm	1	0
Northfield	1	0
North Mankato	2	2
Owatonna	2	1
St Peter	2	1
Waseca	1	1
Willmar	2	0
Worthington	2	0

Some communities gave specific feedback as to the exact type of equipment they operate, while others were generic by indicating the number of sweepers and vacuums. In reviewing this information, it is evident that most communities are operating multiple sweepers.

City staff has reached out to MacQueen Equipment regarding the State contract purchase price of the Elgin Pelican NP Dual street sweeper. MacQueen has indicated that the State contract price is the same as bid last summer through March 1, 2021. Therefore, City staff would like the Council to authorize the purchase of the Elgin Pelican NP Dual street sweeper from MacQueen Equipment at this meeting to ensure the best purchase price available.

The total cost of purchasing the new street sweeper is \$240,259. The approved 2021 Capital Equipment budget included \$245,000 for the purchase of this unit from the Surface Water Management Utility fund.

Motion made by Councilmember Schafer, Seconded by Councilmember DeCramer that the Council authorize the purchase of a new 2021 Elgin Pelican NP Dual Street Sweeper for the Street Department from MacQueen Equipment of St. Paul, Minnesota, in the amount of \$240,259. The current 2015 Elgin Pelican street sweeper will be retained by the City Street Department and will be used to supplement City street sweeping operations. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Lozinski. Voting Nay: Councilmember Labat. The motion **Passed. 6-1**

Consider Approval of the Consent Agenda

Councilmember Labat requested that item number 14, Approve Change Order-City Hall Project and item 15, Employment Contract-Director of Administrative Services, be removed for further discussion.

Motion made by Councilmember Meister, Seconded by Councilmember DeCramer to approve the consent agenda. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Approval to Declare Surplus Property for the Marshall Fire Department.

Approval for Marshall Fire Department to apply for FEMA (AFG) Assistance to Firefighter Grant.

Approval for a LG220 Application for Exempt Permit for the RMEF.

Approval of the Marshall Downtown Business Association for St. Patrick's Day Parade - March 13, 2021.

Approval of the Frontline Warning Systems (outdoor warning sirens) contract with the City of Marshall.

Approval of Resolution Number 21-016, Calling Public Hearings on Street Reconstruction Plan, Capital Improvement Plan, Tax Abatements & Issuance of General Obligation Bonds.

Call for a Public Hearing Regarding Proposed Property Tax Abatement at 1203 Windstar St.

Consider approval of the bills/project payments.

Approve Change Order-City Hall Project

City reconfigured engineering space which resulted in an adjustment to door frame and resulting purchase of that frame. Additional insulation was needed for City Hall canopy. Change order also includes deducts for city providing tree grates and less sidewalk concrete.

Brennan CR 18 related to ASI3 Engineering Space Reconfiguration	\$5580.00
Brennan CR 20 related to insulation in canopy	\$2111.00
Brennan CR 22 related to extra bracing	\$850.00
Brennan CR 23 related to tree grates	(\$4,110.00)
Brennan CR 24 related to sidewalk panel	(\$274.00)

Motion made by Councilmember DeCramer, Seconded by Councilmember Lozinski to approve Change Order 12 in the amount of \$4,157.00. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Lozinski
Voting Nay: Councilmember Labat. The motion **Carried. 7-0**

Employment Contract-Director of Administrative Services

In January 2019 we transitioned Annette Storm from an Assist Finance Director to a Division Director-Administrative Services Director. At that time her position meant a job title change and pay change. To date, this change has served the City well.

While there are no recommended changes to salary or job title, there has been discussion on employment contract for this position since in September of 2018, Public Safety Director Jim Marshall was employed via an employment contract and in January of 2020, Public Works Director Jason Anderson was employed via an employment contract. The employment contracts on record with the City have shared benefits for the employee and the City. It provides severance for the employee in the event the City desires to pursue separation under the severance clause in the contract. The severance serves the City well as it allows for the City to separate employment in a non-contentious, agreeable way.

Recently Director of Administrative Services had the desire to solidify a small change to her work schedule, that being working remotely for 1 day a week. Director Storm has requested the City consider this request through an employment agreement since currently the policy does not allow for this arrangement. In addition, the proposed employment agreement does include severance, and notification of resignation 45 days prior (also not in policy).

Personnel Committee met on February 17th and voted unanimously to approve this agreement.

Motion made by Councilmember Schafer, Seconded by Councilmember Meister Approve Employment Agreement with Annette Storm effective February 23, 2021. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Consider approval of a Consulting firm to conduct a Classification and Compensation Study.

In November 2020, Staff received Council approval to initiate a Request for Proposals (RFP) to conduct a Classification and Compensation Study. The RFP was issued on November 12, 2020 and the deadline for submissions was December 4, 2020. A total of seven (7) proposals were received and reviewed by City staff. A copy of each proposal has been provided to the City Council for review and consideration. The proposals are valid for 90 days (expire on 03/04/2021).

At this time, only the names of the responders are considered public data; all other data in the proposals received by the City are classified as private or non-public data until the City has completed negotiations with the selected vendor. (Reference MN Statute 13.591 subd. 3(b).)

Proposals were received from:

1. Abdo Eick & Meyers, LLP
2. Baker Tilly
3. DDA Human Resources, Inc. (a David Drown Associates Company)
4. Evergreen Solutions, LLC
5. Flaherty & Hood, P.A.
6. Gallagher Benefits Services, Inc.
7. Universal Personnel Services

Personnel Committee Recommendation:

On 02/17/2021, the Personnel Committee reviewed the purpose of and the reasons for proceeding with a Classification and Compensation Study and reviewed each of the proposals received. The Personnel Committee unanimously recommended proceeding with Gallagher Benefit Services, Inc. to perform the study.

The Council approved \$20,000 in the 2020 budget and \$30,000 in the 2021 budget (planned use of reserves) for this study.

Purpose and Goals of the Study: Our objective for this Total Compensation Study is to develop a comprehensive classification and compensation system to attract, retain, and motivate qualified employees who will enable the City to maintain a competitive position with peer cities and competitive markets with whom we compete for labor.

The Study will enable:

- a compensation architecture and supporting processes and policies that are adequately positioned to meet the city's hiring and retention needs.
- a compensation structure and supporting implementation plan that complies with Minnesota's Pay Equity Law and state and federal laws, including overtime payment/exemptions and internal pay equity.
- pay for employees that is competitive in the markets where the City competes for talent.
- job descriptions that are reviewed, complete, and up to date.

Approval of a study will also review and resolve areas of concern that the Council has requested be addressed, such as the expansion in the number of steps, review of selected positions for current market competitiveness, and review of selected positions for internal equity. Additionally, Staff are concerned about our ability to obtain on-going consultation to perform job evaluations under our current Hay Point Factor job evaluation system. Staff recommend transitioning to an evaluation system that can be supported on an on-going basis by a reputable firm.

Based on our most recent Pay Equity analysis completed in January 2021, our compensation structure requires attention. Under MN law, (Pay Equity Law), the City is required to maintain a job evaluation and classification system that is fair and equitable. Though the City's report indicated compliance with state law, the results of the statistical testing show that we are close to non-compliance. There have been significant organizational changes since completion of the last study in 2012. A professional consultant trained in analyzing our jobs through statistical methods and market data is needed to ensure the City maintains compliance with the Pay Equity Act.

The Council has suggested that City Staff utilize the League of MN Cities (LMC) Salary Survey data to collect market data on our positions. There are several reasons staff advise against utilizing this data as a primary source of data. Using the LMC Salary Survey data alone or as a primary source are not sufficient to determine the City of Marshall's position in the market. These data are typically entered into the system only once per year and may not include the most current salary information; for example, union settlement data occurring after the survey data have already been uploaded. It is also not possible to ensure an accurate job match using LMC salary data—it is important for a consultant review job descriptions or position description questionnaires to ensure a job match, not just a title match. The LMC Salary Survey data do not include every position within an organization; therefore, several positions may not have data available. Additionally, LMC

Salary Survey data would need to be augmented by additional public sector surveys for many positions. Historically, the LMC Salary Survey hasn't encompassed each of our comparator cities; therefore, additional custom surveys would be needed. Lastly, the City has partnered with the MLCL and Public Housing on prior studies— these entities do not have the financial means to conduct these studies on their own, but they too are required to meet the same requirements---many of their respective positions would not be included in the LMC Salary Survey data available.

Our current compensation structure requires modification in the classification of positions and in developing pay bands. It has become increasingly difficult to incorporate organizational changes into the current classification structure. City Staff are not trained or positioned to complete the data collection or data analysis that this study would provide. City HR staff are not trained in statistical analyses and do not have access to the software necessary to develop a compensation structure. Staff require the assistance of a Consultant in determining who our comparator cities are, as well as our benchmark positions, those jobs that will be utilized to gather market data on. After evaluating (pointing), classifying positions, and collecting market data, a professional consultant is needed to perform statistical testing and analyses to “marry” the position points with the market data in a manner that maintains both internal equity and market competitiveness. In every City, this analysis and development of a proper compensation structure requires the expertise and the “art” if you will of someone trained in job evaluation and compensation systems, of designing a system that matches the City's compensation philosophy, has long-term implementation capability, and is readily understood by the Council, employees, and the citizens of the community.

The most recent study conducted by the City entailed a classification study in 2011 and a compensation study in 2012; the results of the study were presented to and accepted by the City Council for implementation in 2013. The study included City, Library, and Public Housing positions. The cost of this study was \$31,500. For the past two studies (2006/07 and 2011/12), the Library and Public Housing Commission did not pay towards the cost of the study; but they were responsible for the cost of implementation of the study's accepted recommendations within their organizations. At this time, Staff are not able to project an implementation cost estimate if the Council would proceed with a study in 2021.

At the conclusion of the 2011-2012 study, the Council gave direction to staff to complete these studies approximately every five (5) years to ensure the City maintains market comparable wages and compliance with the Minnesota Pay Equity Act. Staff have included the study as a proposed budget item since 2017; however, due to budget constraints, the studies haven't been approved.

The timing of a study to be completed by 4th quarter 2021 would be beneficial for union negotiations. Each of our three union contracts expire on 12/31/21; the Council will be asked to consider new contracts for each bargaining unit. Having knowledge of market salary data would be highly beneficial in negotiating the contracts.

Performing a Classification and Compensation study will provide the City with several outcomes:

- Under the guidance and facilitation of a consultant, a study provides the City with an opportunity to establish an updated or revised philosophy and policy on employee compensation. The City can work with a consultant to make any desired changes to the existing compensation philosophy and policy that will align with the City's strategic goals.

- Under the professional guidance of a consultant, a study provides the City with an opportunity to review and/or modify the existing pay structure, including the expansion of steps, if appropriate, while ensuring compliance with state and federal laws.
- Identifies our labor market comparators, which also supports identifying our market position during labor negotiations. Through this study, the comparator cities we have traditionally utilized may need to be changed due to changes in population, socio-economic changes, etc.
- Ensures market/internal structure alignment---ensures employees are paid fairly and equitably • Identifies paths for career progression for employees
- Assures compliance with the Minnesota Pay Equity Act
- Aids in resolution of recruitment and/or retention issues for selected positions where the market currently bears a higher rate of compensation
- Aids in our ability to recruit the right talent pool by reviewing minimum qualifications and essential functions of positions
- Increases the City's ability to compete for talent (employees) due to the significant shortage of available workers in southwest MN
- Provides the City with necessary comparator wage information such as salary data, salary range width, etc.; the City needs this information to make informed decisions related to pay structure changes and union contract negotiations.

Motion made by Councilmember Meister To authorize Staff to enter into an agreement with Gallagher Benefit Services, Inc. to conduct a Classification and Compensation Study. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Lozinski. Voting Nay: Councilmember Labat. The motion **Passed. 6-1**

Fire Station Roof Replacement Proposals and contracts.

The Marshall Fire Department would like the City Council to consider accepting a proposal for the replacement of the roof at the fire station. The current roofing material on the fire station is a fully ballasted river rock system. This system is found on the three sections of the roof (training room/offices, apparatus bay and the hose tower). Replacement of the roof system was last done in 1996. Many factors go into predicting the length of the useful service life of a ballasted roof. The typical life expectancy of a ballasted roof ranges from 15-30 years.

In the past two years, the fire station roof leaked and caused damage to the interior of the building. Some of the mitigation efforts at that time included fireman removing snow loads from the roof to lessen the chance of water getting behind the membrane. Repairs were made to the roof by a local contractor who identified tears in the membrane along the edges. The tears in the membrane and organic build-up of 25 years not allowing proper drainage were identified as the problem. Recommendations made at that time were for the city to consider replacing the roof system.

Three proposals have been received from the companies below. Please refer to the bid tabulation sheet and proposals submitted by the companies.

1. GAG SHEET METAL, INC. (New Ulm)
2. HORIZON ROOFING (St. Cloud)
3. BUYASSE ROOFING SYSTEMS & SHEET METAL (Marshall)

This roof replacement project has been included in the 2021 Capital Improvement Plan for \$125,000.

Motion made by Councilmember Lozinski, Seconded by Councilmember Labat Consider approving the base bid proposal submitted by GAG SHEET METAL, INC. (New Ulm). Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Consider awarding bid for Engine 360 truck refurbishing.

Engine 360 is a 2002 Spartan custom built for the City of Marshall by General Safety Equipment in Wyoming, MN. Engine 360 is our 2nd engine on a fire scene within the city limits and is generally assigned as the water supply apparatus. This engine connects directly to a hydrant and pumps water to the fire attack apparatus and to the aerial tower apparatus.

Engine 360 has had relatively low maintenance issues to date. Engine 360, like all our engines, is critical to our emergency response and must operate without error. When utilized at a fire scene it is operated to its capacity and under hard conditions. On an annual basis, Engine 360 is inspected, and the pump is certified.

Two areas that need immediate repair are to the emergency lighting system and the pneumatic system within the pump valves that are not functioning properly. The refurbishment of Engine 360 will address these issues as well as it will go through the entire truck and bring it up to 2021 NFPA standards.

This refurbishment will increase the longevity and life of this engine. In 2012, the city approved the refurbishment of our 1993 Pierce Arrow aerial platform (\$156,000). Since the refurbishment of the 1993 Pierce Arrow, no identified repairs have needed to be made and its anticipated replacement date has been moved out a minimum of five years.

Requests for proposals for the refurbishment of Engine 360 went to 2 companies that are qualified to complete this project with the low bid coming from Emergency Apparatus Maintenance in Lino Lakes, MN. Any repair costs on items not able to be seen or planned for are not included in the projection.

This project was included in the 2020 Capital Improvement Plan for \$105,000 from the general levy and that money has been transferred to reserves in 2021 for this purpose.

Motion made by Councilmember Lozinski, Seconded by Councilmember Schafer approving the bid from Emergency Apparatus Maintenance to refurbish Engine 360. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Lozinski. Voting Abstaining: Councilmember Labat. The motion **Passed. 6-0-1**

Grant of Permanent Easement – Project Z82 North 1st Street and Project Z83 James/Camden.

Grants of Permanent Easement required for the above-referenced projects between the City and Curtis VanMeveren (Project Z82) and Marshall Golf Club (Project Z83). The location of the easement is shown in Exhibit B for each of the projects. The easements are for the construction and installation of stormwater drainage pipe in the easement area

Motion made by Councilmember DeCramer, Seconded by Councilmember Labat that the Council authorize the execution of the Grant of Permanent Easement between the City of Marshall and Curtis VanMeveren (Project Z82) and that the Council authorize the execution of the Grant of Permanent Easement between the City of

Marshall and Marshall Golf Club (Project Z83). Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Project Z90: South 4th Street/Country Club Intersection Improvement – Consider Award of Proposals.

City staff would like to evaluate different options for improving the intersection of South 4th Street and Country Club Drive. The intersection of these streets occurs at a heavy skew and is currently controlled by a traffic signal that was originally installed in 1983. The signal is outdated and not in compliance with current ADA standards for a safe pedestrian crossing. This traffic signal is the only traffic signal fully under City of Marshall control; all other traffic signals are located along a MnDOT corridor and fall under MnDOT jurisdiction.

To help evaluate improvement opportunities at this intersection, City staff would like to hire a consulting engineer to review and provide alternative options for intersection improvement.

Staff will expect the consultant to evaluate multiple opportunities for improvement at this intersection and provide preliminary cost estimates for each option. This information would then be brought back to Council later this spring for consideration of a future improvement project to be scheduled in our Capital Improvement Plan (CIP). Proposals for the above-referenced project were received by February 12, 2021. Four proposals were received and reviewed by City staff.

Proposals were received from ISG, IMEG, Bolton & Menk, and Short Elliott Hendricksen (SEH). Based on review by City staff, SEH was selected to complete the review for the amount of \$18,565.

The 2021 Engineering Department budget includes \$20,000 for this work in consulting services.

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski that the Council award the proposal for the Project Z90: South 4th Street/Country Club Intersection Improvement Study to Short Elliott Hendrickson Inc. of St. Paul, Minnesota in the amount of \$18,565. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Edblom, Councilmember DeCramer, Councilmember Lozinski. Voting Nay: Councilmember Meister, Councilmember Labat. The motion **Passed. 5-2**

Resolution of Support for Channel Parkway Local Road Improvement Program (LRIP) Grant Application.

The Minnesota Department of Transportation (MnDOT) announced on December 2, 2020 that the agency would be soliciting applications for Local Road Improvement Program (LRIP) grants. The 2020 bonding bill included \$75 million in undesignated LRIP funds to be awarded to local units of government on a competitive basis. The last LRIP grant period occurred in 2018 and approximately \$34 million was made available.

City Engineering staff would like to submit a grant application for the resurfacing of Channel Parkway. Channel Parkway was reconstructed in 2004. Within the next 5 years, Channel Parkway will require a resurfacing project.

The proposed project for LRIP application will include replacement of the existing bituminous pavement surface with a concrete pavement surface. Currently, the pavement surface is exhibiting stresses indicative of excessive loading; this is evidenced by the longitudinal fatigue cracking within the wheel paths of the roadway. The City of Marshall recently completed some repairs of severe rutting (3-4") at the intersection of Channel

Parkway and MN Highway 68. The project would utilize the existing gravel base, drain tile, and curb and gutter, replacing the bituminous surfacing only. Engineering staff believes there is great value installing a concrete surface if grant funds are awarded.

City staff is estimating a project cost of \$2,433,000 for a concrete surfacing project over the entire 1.2 miles of Channel Parkway. If a maximum grant award of \$1,250,000 is secured, the expected City outlay would be \$1,183,000. City staff would recommend financing the City participation through issuance of City bonds, making annual bond payments from our Municipal State Aid System (MSAS) account through annual MSAS Advance Requests. If the City completes a resurfacing project in future years without grant funding, we will utilize Municipal State Aid System (MSAS) funds and mill and overlay the bituminous surfacing at an estimated cost of \$850,000. The life of a concrete pavement should exceed 30 years with minimal maintenance, covering the life span of multiple mill and overlay projects.

Applications are due by March 3, 2021 and awards will be announced in May. The maximum grant award per local unit of government is \$1.25 million.

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski that the Council adopt RESOLUTION NUMBER 21-017, which is the "Resolution of Support for Channel Parkway LRIP Application, authorizing City staff to submit an LRIP grant application for the concrete resurfacing of Channel Parkway. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Edblom, Councilmember DeCramer, Councilmember Lozinski. Voting Nay: Councilmember Meister, Councilmember Labat. The motion **Passed. 5-2**

Consider Master Services Agreement with Landrum & Brown, Inc. for the Airport.

In recent months there has been some interest from a local businessman to construct an airport hangar in Airpark East. Sharon Hanson, City Administrator, has been in frequent conversation with both the developer and City staff regarding this hangar opportunity. As we review and begin the process of entertaining these types of opportunities, it is important to establish a set of minimum standards and criteria to be met at our airport to help City staff facilitate these types of developments. City staff are recommending we contract with Landrum & Brown, Inc. (L&B) who would provide professional consultation services to the City regarding development of airport minimum standards and review of current City lease agreements with the intent of aiding the City with the establishment of future leasing arrangements. City staff would like to establish some simple and understandable policies and procedures regarding airport development to help us better interact with interested parties. This is especially important as we look to increase the marketing and visibility of Airpark East through our Economic Development Authority (EDA).

At their special meeting on February 16, 2021, motion by Halgerson, second by Larson to recommend the City Council approve a contract with L&B for the development of airport minimum standards and creation of a standard leasing policy. All voted in favor.

The agreement with L&B is hourly, not to exceed \$10,000.

Motion made by Councilmember Schafer, Seconded by Councilmember Meister that the Council, per Airport Commission recommendation, authorize entering into a Master Services Agreement with Landrum & Brown, Inc. for the development of airport minimum standards and creation of a standard leasing policy. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember

DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Consider a Resolution Opposing the California Emissions Act.

The Marshall EDA has approved a Resolution Opposing Minnesota Adopting California's CleanCar Initiative.

In late September, Governor Walz announced that he would seek to impose California's mandates for zero emission vehicles and low emission vehicles on Minnesota. The purpose behind the mandates is to clean up the air, which Minnesota has not had a problem for the last 20 years. This rule will flood the car dealerships with electric cars for which there is only a small current market. Governor Walz and MPCA are attempting to bypass the normal legislation route, using a rule making process in order to implement the regulations. They are currently holding hearings on February 22 and 23, 2021 with written comments are being taken until March 15.

Motion made by Councilmember Meister, Seconded by Councilmember Edblom to approve Resolution Number 21-018, a resolution opposing the California Emissions Act. Voting Yea: Councilmember Meister, Councilmember Edblom, Councilmember Labat. Voting Nay: Mayor Byrnes, Councilmember DeCramer, Councilmember Lozinski. Voting Abstaining: Councilmember Schafer. The motion **Failed. 3-3-1**

Consider Appointments to the Various Boards, Commissions, Bureaus and Authorities.

The City of Marshall has various openings on the Boards, Commission, Bureaus and Authorities. The application received is for the Community Services Advisory Board.

Mayor Byrnes requested, after review, that Melissa Doherty be appointed to the Community Service Advisory Board for a term set to expire 2/28/2024.

Motion made by Councilmember Meister, Seconded by Councilmember Edblom confirming the appointment to the Community Services Advisory Board. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Commission/Board Liaison Reports

- Byrnes Southwest Regional Development Commission continues to meet every two weeks regarding business around the COVID relief fund.
- Schafer No Report
- Meister Economic Development Commission met and discussed the council agenda item as well as additional lots for sale in the parkway addition.
- Edblom Comprehensive Plan Committee met and began the review of the proposals.
- DeCramer Marshall Municipal Utilities Commission met and discussed an additional settlement of \$435 that will be reimbursed back to the customers of MMU. MMU service reliability rate was 99.9999% during the latest winter storm and cold system.

Diversity, Equity, and Inclusion Commission continues to meet every two weeks working on foundational items such as appointments and bylaws to the commission.

Labat No Report

Lozinski City Hall Committee met and discussed the council agenda item.

Councilmember Individual Items

Councilmember Schafer discussed the action item considering the opposition to the California emissions act.

Councilmember Meister provided information on the vaccine distribution which now includes Hy-Vee, Thrifty White, and Walmart pharmacies.

Councilmember DeCramer commented on the successful Cultures on the Prairie event with attendance from all over the state of Minnesota.

Councilmember Lozinski commented on additional safety measures put into the City Hall project.

City Administrator

City Administrator Sharon Hanson commented that she would share the PowerPoint presented in work session regarding the pool funding options and that she would contact each member of the council for direction. Administrator commented that she did meet with the new Avera Marshall CEO with the Mayor and EDA Director, Laura Deutz.

Director of Public Works

No Report

City Attorney

City Attorney Dennis Simpson commented that the land sale process with Best Topsoil, LLC has been completed.

Information Only

There were no questions on the information items.

Upcoming Meetings

There were no questions on the upcoming meetings.

Adjourn

At 7:30 P.M., Motion made by Councilmember Schafer, Seconded by Councilmember Meister to adjourn.
Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom,
Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Attest:

City Clerk

Mayor