

**CITY OF MARSHALL
CITY COUNCIL MEETING
M I N U T E S
Tuesday, February 14, 2023**

The regular meeting of the Common Council of the City of Marshall was held February 14, 2023, 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: Amanda Schroeder, Craig Schafer, Steve Meister, John Alcorn, See Moua-Leske and James Lozinski. Absent: None. 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; Karla Drown, Finance Director; Scott Truedson, Wastewater Superintendent; and Steven Anderson, City Clerk.

The Pledge of Allegiance was recited at this time.

Consider Approval of the Minutes from the Regular Meeting and Work Session Held on January 24, 2023

There were no changes to the minutes as presented.

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

Kwik Trip 1255 - 1) Public Hearing on Preliminary Plat and Approval of Preliminary Plat; 2) Consider Resolution Adopting the Final Plat

Kwik Trip purchased three parcels at the corner of N. Bruce Street and E. College Drive, formerly Speedway, with the intent of building a new gas station and convenience store at this location. The purpose of the plat is to combine all parcels into one and to ensure that all property issues are addressed prior to building on the site. The preliminary plat was presented at the Planning Commission meeting on January 11, 2023. The preliminary plat was then introduced at the January 24, 2023 City Council meeting. Dean George a representative of Kwik Trip thanked council and the city of Marshall and is looking forward to start construction this summer.

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

Councilmember Schroeder mentioned that Hoffman & Brobst attended the Planning Commission meeting where the plats were being discussed and had some questions. Kwik Trip indicated they did get in contact with Hoffman & Brobst with regards to their questions.

Motion made by Councilmember Schafer, Seconded by Councilmember Schroeder to accept the preliminary Kwik Trip 1255 plat. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

Motion made by Councilmember Schafer, Seconded by Councilmember Meister to accept Resolution 23-010 adopting the Kwik Trip 1255 Final Plat. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

Approval of the Consent Agenda

There were no requests to remove any items from the consent agenda.

- Consider Engagement Letter for Audit Services for 2022 Financial Statements
- Transfer 3.2% Off-Sale and Tobacco License to Kareem Inc. (Freedom Gas Station)

- Consider Approval of a Permit for Alcoholic Beverages at City-Owned Facilities
- Project ST-010: Lyon Circle Reconstruction Project - Consider Resolution Ordering Preparation of Report on Improvement (Resolution 23-011)
- Consider Approval of Community Planning Organizational Structure and Approve MOU with AFSCME, Local No 65 Accepting Union Status for Senior Engineering Specialist and Building Services Coordinator Positions
- Consider Approval of the Bills/Project Payments

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

2023 Fee Schedule Amended

Finance Director Karla Drown explained the amendment recommendations by staff. Under Finance an Administrative fee of \$25 is being recommended. The fee was originally \$50 and was added in addition to actual cost invoices for mowing and snow removal services. The Adult Community Center wanted to clarify in the fee schedule the deposit amount for room rentals and that room rentals were per hour. Wastewater recommended to increase the Excess Phosphorus fee to \$5 per pound to break-even with the increase of chemical costs. This fee is mostly incurred by the city's industrial users and they have been informed and given their ok.

Mayor Brynes asked for clarification on the Adult Community Center room deposit amount. Councilmember Lozinski also wanted to verify that the administrative fee is a reduction and not a new charge.

Motion made by Councilmember Meister, Seconded by Councilmember Lozinski to approve Resolution 23-013 amending the 2023 Fee Schedule. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

Project ST-009: W Lyon St. / N 3rd St. Reconstruction Project - Consider Resolution Approving Plans and Specifications and Ordering Advertisement for Bids.

Anderson stated the project has been discussed numerous times and feels the project is ready to go out for bids. The project consists of reconstruction and utility replacement on West Lyon Street from East College Drive to North 5th Street and North 3rd Street from West Main Street to West Redwood Street. All utilities will be replaced, including watermain, sanitary sewer, and storm sewer on West Lyon and North 3rd Streets. Other items of work included in this project are pavement removal, aggregate base, concrete surfacing, sidewalks, curb and gutter, streetscaping, and other minor work. Also included with this project will include reconstruction of the Addison Parking Lot adjacent to West Lyon Street and East College Drive. Reconstruction of the parking lot will include pavement removal, grading, aggregate base, and concrete surfacing.

Councilmember Schafer and Lozinski talked about the number of meetings that took place with the Downtown Business Association and the businesses aren't on-board 100% with the plans but are at a good compromise point.

Motion made by Councilmember Lozinski, Seconded by Councilmember Alcorn to approve Resolution 23-012 to accept the ST-009 plan and advertise for bids. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

Project WW-005: MN 23 Lift Station Improvements - Consider Bolton & Menk Proposal for Engineering Services

The Highway 23 lift station is one of Marshall's main lift stations, and it provides service to over one-third of Marshall. The purpose of our sanitary sewer lift stations is to collect wastewater that flows to the station by gravity and pump the waste to our Wastewater Treatment Facility on the north side of town. This station was constructed in 1993 and included two submersible pumps. In 2003, two more submersible pumps were added due to growth along the Highway 23 corridor and increased flows. All four pumps are at the end of their useful life and must be replaced. The interior of the lift station needs to be recoated to extend its life, and the corroded piping, obsolete VFD pump drives, and the obsolete generator switchgear need to be replaced prior to failure. The design work for this project will proceed on an hourly, not-to-exceed basis in the amount of \$25,000. The Wastewater CIP identifies \$350,000 for renovations at the Highway 23 lift station. Upon project design, City staff will return to the Council seeking authorization to advertise the project for bids.

Motion made by Councilmember Schafer, Seconded by Councilmember Schroeder. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

Instrument Landing System (ILS) Replacement at the Airport - 1) Consider project addition to the Airport CIP; 2) Authorization to request MnDOT Grant Agreement

MnDOT owns the Instrument Landing System (ILS) at the airport. The ILS is a radio navigation system that provides short-range guidance to aircraft and allow them to approach a runway at night or in poor weather conditions. The ILS system has reached a point where the manufacturer will no longer service and repair equipment, and MnDOT would like to replace our system as soon as they are able. The project requires City participation and we are responsible for civil site work and building costs. MnDOT will cover the cost of the equipment estimated at approximately \$400,000. The City will need to request a Mn/DOT Grant Agreement for the remaining costs, estimated at \$250,000, for civil site work and design work with participation of 70% State (\$175,000) / 30% Local (\$75,000).

Councilmembers discussed how valuable the airport is to the area and the importance of maintaining the equipment and buildings that go along with the airport.

Motion made by Councilmember Meister, Seconded by Councilmember Schafer to add the ILS Replacement to the airport CIP. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski to authorize staff to request the MnDOT grant agreement. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

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

Mayor Byrnes made the recommendation to appoint the following:

Josh Schafer to the MERIT Center Commission with a term expiring 12/31/25.

Ashley Dwire to the DEI Commission with a term expiring 5/31/25.

Jeff Wenker to the Police Advisory board with a term expiring 5/31/25.

Motion made by Councilmember Moua-Leske, Seconded by Councilmember Alcorn to confirm the recommended appointments. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

Commission/Board Liaison Reports

Byrnes	<u>Regional Development Commission</u> : Will be interviewing for a Finance Director and two planners. <u>Fire Relief Assoc.</u> : Held their annual meeting and went over their annual report.
Schafer	No report.
Meister	No report.
Schroeder	<u>EDA</u> : Discussed direction and upcoming projects. <u>Planning Commission</u> : Discussed the Interim Use Permit shown today.
Alcorn	No report.
Moua-Leske	No report.
Lozinski	No report.

Councilmember Individual Items

Councilmember Lozinski and Schafer lobbied in St. Paul for Legislative Day to our representatives for Marshall’s local option sales tax. Lozinski met with Rep. Swidzinski and brought up concerns about the homestead credit for Minnesotans.

Councilmember Moua-Leske attended the Cultures on the Prairie at SMSU. The first day of the event was a simulation called “The Killing Fields” that re-enacted Cambodian refugees escaping from war. The second day of the event had speakers and panel discussions.

Mayor Byrnes will be meeting briefly with senators on Friday to talk about the City of Marshall’s request for local option sales tax. Byrnes also mentioned that work groups were to be formed representing various parties in regards to the Rental Ordinance that was proposed last council meeting. Mayor Byrnes wanted to clarify to the public that the city council only appoints a member to the library board and approves a budget amount. Services provided by the library are determined by the joint library board not city council.

City Administrator

Doing prep work for the State of the City presentation. Andrew Suby made a donation to the Red Baron Arena and sponsored a free open skate event and it was well attended. Parks & Rec Supervisor and Hanson will be meeting with the pool architects to go over more design plans. Bonding discussions for 2024 are also starting.

Director of Public Works/City Engineer

The chloride rebate program will be starting a new advertising campaign soon. The Joint Airport Zoning Board met and discussed a draft ordinance.

Mayor Byrnes brought up the construction and detours that will be taking place on Highway 23 between New London and St. Cloud.

City Attorney

Legislature recently passed the Crown Act which is related to discrimination based on certain hair textures and types, Juneteenth is an official state holiday but does not go into effect until August, the Carbon Free by 2040 bill also passed but is anticipated to be challenged by neighboring states.

Administrative Brief

There were no questions on the Administrative Brief.

Information Only

There were no questions on the Information Only items.

Upcoming Meetings

There were no questions on the Upcoming Meetings.

Adjourn

At 6:20 PM Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski.

Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

Mayor

Attest:

City Clerk